

AMERICAN ACADEMY
OF ARTS & SCIENCES

LEADING FOR A FUTURE OF HIGHER EDUCATION EQUITY

Transforming Supreme Court
Challenges into Opportunities
for Positive Change

SUMMARY AND SUGGESTIONS FROM AN
AMERICAN ACADEMY OF ARTS AND SCIENCES'
EXPLORATORY MEETING



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Contents

A Letter from the President of the American Academy	4
Executive Summary	5
Societal Context	6
Legal Context	8
Proposed Solutions	10
Center Equity throughout Campus by Demonstrating Leadership's Commitment	10
Uniting Committed and Collaborative University Leaders for Systemic Change	13
Communicating the Value of Equity to Constituents	13
Fostering Community Partnerships	15
Highlighting and Funding the Valuable Expertise and Contributions of Historically Black Colleges and Universities (HBCUs) and Minority-Serving Institutions (MSIs)	16
Summary and Recommendations	18
Appendix A: Meeting Participants	19
Appendix B: Meeting Session Titles	21

A Letter from the President of the American Academy

In August 2023, the American Academy of Arts and Sciences convened a group of more than forty university presidents, provosts, senior administrators, and experts for a candid, forward-looking discussion among colleagues who shared effective policies and strategies for accelerating progress toward building an equitable and diverse higher education system, an issue that impacts not only our students and their campuses, but all of American society.

The impetus for the meeting was the June 2023 U.S. Supreme Court ruling in *Students for Fair Admissions v. President and Fellows of Harvard College* and *v. University of North Carolina*, which bans the consideration of applicants' racial status in admissions decision-making but continues to permit the consideration of how a student's race has come to shape their inspirations, aspirations, knowledge, skills, and other lived experiences.

This exploratory meeting was made possible by the support of the Alfred P. Sloan Foundation and the Mellon Foundation. I greatly appreciate their support.

I am also grateful to the cochairs of the meeting, Kim Wilcox, chancellor of the University of California, Riverside, and Joanne Berger-Sweeney, president of Trinity College, for lending their time and sharing their own campus experiences as their institutions adapted to the ruling. President Berger-Sweeney provided tangible examples of how her institution was navigating and responding to the Supreme Court ruling now that consideration of applicants' racial status can no longer play a role in efforts to maintain and work toward diversity and equity. Chancellor Wilcox shared how his institution responded and moved forward in the wake of a long-standing state ban on affirmative action in California.

I also thank EducationCounsel for providing an expert overview of the new legal context of higher education admissions. Encouraging participants to adopt an innovator's problem-solving, mission-driven mindset, they provided legal analysis of the ruling and highlighted existing and new strategies that campuses can implement to successfully navigate the new legal design parameters while still advancing efforts to promote and increase diversity. I extend my thanks to the American Council on Education for sharing informative examples of effective higher education leadership across the country. Finally, my thanks to the tireless leaders and experts who came together to share their expertise and engage in rigorous and respectful debate so that others can learn from their experiences as they navigate this new legal environment.

We look forward to hosting additional timely and engaging conversations that address the critical issues higher education leaders face today and into the future.

Sincerely,
David W. Oxtoby
President, American Academy of Arts and Sciences

Executive Summary

In August 2023, with support from the Alfred P. Sloan Foundation and the Mellon Foundation, the American Academy of Arts and Sciences convened a group of more than forty university presidents, provosts, senior administrators, and experts for a candid, forward-looking discussion among colleagues who shared effective policies and strategies for accelerating progress toward a more equitable and diverse U.S. system of higher education. The aims of this exploratory meeting were twofold: to support the commitment of institutional leaders to equitable and diverse higher education; and to support bold institutional action to advance equitable access, opportunity, experience, and outcomes for students of color, as for all students—in accordance with the new legal parameters for policy and program design. Meeting participants and meeting session titles are listed in the appendices to this report.

The exploratory meeting was cochaired by university leaders Kim Wilcox, chancellor of the University of California, Riverside, and Joanne Berger-Sweeney, president of Trinity College. The cochairs led the meeting in a call to action, reminding attendees not to lose sight of their commitment to their students and to the decades-long work of making higher education a more diverse and equitable space. Additionally, the Academy partnered with Jamie Lewis Keith and Art Coleman of Education-Counsel. They emphasized that the law is a “design parameter” and noted that those within higher education already navigate design parameters every day for innovation. The Academy also partnered with the American Council on Education (ACE), whose president, Ted Mitchell, provided examples of the challenges higher education institutions face and how effective leadership can help overcome them.

Participants emphasized such key themes as centering equity throughout campus; uniting committed and collaborative university leaders for systemic change; communicating the value of equity to constituents; fostering community partnerships; and highlighting and funding the valuable expertise and contributions of minority-serving institutions (MSIs) and historically black colleges and universities (HBCUs).

A comprehensive, multifaceted strategy for accelerating racial equity and diversity interests in higher education by addressing these key themes is pivotal to navigating the challenges of the current contentious environment and advancing the cause of equitable higher education for all students. The ideas and insights discussed during the meeting are organized thematically below.

Societal Context

The meeting was designed to consider how, within the new legal landscape, institutions of higher education can continue to accelerate opportunities, increase access, and improve experiences and outcomes in higher education for students of color while following the U.S. Supreme Court’s decision to ban consideration of applicants’ racial status in higher education admissions processes, and how to do so in an environment where some state initiatives are limiting other diversity, equity, and inclusion (DEI) efforts. While most sessions were future-focused, the initial sessions sought to consider what led to this decision and the current state of higher education. Speakers acknowledged that racist policies and norms of practice that persist today can be traced back to racism in the founding and early history of the United States. While some progress has been made, the violent removal of indigenous populations, the centuries-long system of slavery, and the subsequent “Jim Crow” laws and policies made to subordinate people of color still affect every aspect of American life today, including higher education. Speakers highlighted that higher education institutions have not adequately addressed their historic roles in structural racism, with long-standing policies perpetuating racial impacts even today. Speakers argued that this context and framing are why equitable higher education has yet to be realized, and one speaker outlined seven ways racial inequities are perpetuated by higher education:

- *Unwillingness to Acknowledge History.* Higher education leaders and faculty have not, but must, recognize the lasting societal impacts of America’s history of horrific slavery and racist laws, policies, and events. One example, among many, is some institutions’ hesitation to acknowledge their past by continuing to praise and publicly recognize figures who were slaveholders and those who supported systems of slavery and racial segregation. Promotion of this sort adversely affects the daily experiences of students of color, just as similar actions beyond higher education do so throughout American culture.
- *Silence in History Education and Inadequate Pedagogy in K–12.* Higher education has not yet adequately supported student-centered, effective, equitable teaching and learning in K–12. Higher education leaders also have neither widely nor publicly denounced efforts in K–12 education that misrepresent history. University leaders’ silence is an enabler whereas presidents and provosts providing evidence-based challenges to support K–12 developments could help stem them.
- *Inadequate Teacher Training for K–12 Students.* Teachers are primarily trained at colleges and universities. However, schools often use outdated or ineffective teaching methods rather than leverage abundantly available research-backed, student-centered, equitable methods. This fails the teachers and ultimately their students.
- *Insufficient Support for Students from Under-resourced Schools and Communities.* Higher education institutions in general, but primarily those that are highly resourced, do not provide enough financial support or resources to support low-wealth/income students, who are

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disproportionately students of color. Therefore, students from less-resourced schools and their families often overcome more challenges than others to get to, and through, college. Eliminating legacy admissions may be a way to communicate greater focus on equity, but it is largely performative in many institutions. To positively impact student access, opportunities, and outcomes, higher education institutions need to refocus student recruitment efforts toward socioeconomic status and geography, reallocate a substantial amount of financial support away from merit-based aid to need-based aid, and simplify and provide more transparency and guidance to students about the application and financial aid processes. If such an approach were comprehensibly and thoughtfully designed and applied, it might have a far greater impact than affirmative action alone.

- ***Failing to Utilize Community Colleges.*** The conversation on racial equity in higher education often centers on elite institutions. However, most students attend non-elite institutions or community colleges. Furthermore, a large percentage of students of color do not enroll at any college; and those who do enroll often do not receive the necessary support to graduate. Better resourcing and a stronger emphasis on community colleges would increase students’ access to, and success in, college and beyond.

- ***Affirmative Action Was Never Fully Used to Increase Opportunities.*** Institutions have failed to fully implement and effectively articulate the justification for affirmative action, even when it was more fully available. As such, the public and other stakeholders lack an understanding of its broad beneficial impact and value, as well as its imperative for fairness. Higher education needs to develop effective, public-facing communications to explain why equitable and diverse learning communities are valuable for society and how to achieve this outcome.
- ***Equity Is Difficult (but Possible).*** While the Supreme Court’s ruling has increased the challenges, the biggest barriers to racial equity are commitment and willingness to effect systemic change. There are plenty of steps that higher education leaders can take—it’s just hard.

Legal Context

EducationCounsel provided a legal briefing on the U.S. Supreme Court’s June 2023 ruling in the Harvard and UNC admissions cases, some of which is summarized at a high level here. Institutions should confer with their own legal counsel, as the Academy and EducationCounsel, in this summary and at the meeting, are not providing legal advice to any institution.

While the Court ruled that Harvard’s and UNC’s diversity goals were not compelling and therefore could not support the consideration of race in admissions, the Court recognized that educational diversity is a “commendable” and “worthy” interest for institutions of higher education. It affirmed institutions’ ability to define their missions as they see fit, even as it eliminated one means (considering an applicant’s racial or ethnic status) to achieve a diversity-dependent mission.

Thus, institutions may still embrace the creation of equitable and diverse learning communities as central to the quality of their educational programs and missions without running afoul of federal nondiscrimination law. Even in states that impose limitations on public institutions, higher education institutions can still embrace a mission that aims to serve all students well and support their success.

The Court has long held that federal nondiscrimination law generally prohibits differential treatment of individuals based on their racial group status when conferring benefits and opportunities, with important exceptions for legally compelling aims and narrowly tailored means of achieving those aims. Preserving that broad framework, the Court ruled that the educational benefits for all students—in learning, leadership, civic readiness, and workforce preparedness—that are associated with learning in a diverse academic setting are amorphous and immeasurable by a court, so not legally compelling, ending a forty-five-year-long exception to the

federal nondiscrimination mandate. The only legally compelling interest that is currently recognized by the Court in the education context is remedying the current effects of an institution’s own intentional discrimination. The speakers noted that it may be possible, in the mid-to longer-term, to develop other legally compelling interests and strategically determine the right time and facts on which to test them.

Further, the Court held that the design of the two universities’ admissions programs did not satisfy “narrow tailoring” requirements because they lacked an end date and used race as a “zero sum” factor, with negative effects for some races.

The speakers emphasized that, while the ruling increases the challenges of building a diverse and equitable learning community of students, with an innovator’s mission-driven mindset and an understanding of the legal design parameters, institutions still have many avenues to appropriately advance equity and diversity. Importantly, the Court explicitly endorsed consideration of an individual’s knowledge, skills, character qualities, aspirations, and inspirations gained from their lived experience, including their lived experience of race in society. In so doing, the Court admonished institutions not to make assumptions about what a student’s experience has been based on societal inequities and instead required them to make individual assessments of applicants’ merit. This allows institutions to further inquire about student experiences as part of a holistic approach.

While the Supreme Court ruling increases the challenges of building a diverse and equitable learning community of students, with an innovator’s mission-driven mindset and an understanding of the legal design parameters, institutions still have many avenues to appropriately advance equity and diversity.

The Court also left unchanged many additional avenues to advance diversity and equity; for instance, the consideration of legally “neutral” criteria (such as socioeconomic, low-resourced school background, geographical diversity, first-generation status) that advance authentic institutional priorities other than increasing racial diversity but still produce that ancillary benefit to some extent. Inclusive race-targeted outreach and recruitment efforts that do not confer material benefits based on race but do help build a broadly diverse applicant pool, as well as criteria that do not consider any individual’s race but do value expertise, knowledge, and actions to advance diversity and equity are still permitted. Among the resources to guide these efforts is the American Association for the Advancement of Science’s Diversity and the Law program—developed in concert with EducationCounsel and supported by the Alfred P. Sloan Foundation—whose materials are being updated to account for the Court’s recent decision.¹

1. American Association for the Advancement of Science, “Diversity and the Law,” 2023, <https://www.aaas.org/programs/diversity-and-law>.

While the ruling concerns admissions, the federal nondiscrimination principles of the Court’s decision will likely have some effect on virtually any race-conscious conferral of benefits or opportunities to individual students, including recruitment, scholarships, mentoring, research experiences, and other enrichment and pathways programs. (The ruling does not bind employment, however, which is subject to a different, remedial legal regime.) The student diversity and equity policies of a correspondingly broad range of higher education institutions, from community colleges to HBCUs and MSIs, from liberal arts colleges to Research 1 (R1) universities, are impacted. However, more nuanced, programmatic options—many of which do not trigger federal nondiscrimination law—make the ruling’s impact different in non-admission contexts.

The speakers outlined legal strategies that institutions could adopt to modify existing policies and practices and to pursue new systems. They are developing further guidance to help institutions assess green- and yellow-light strategies within legal parameters. This guidance will help institutions assess legal risk within the context of overall mission risk while avoiding unreasonable and excessive legal risks that threaten the achievement of their mission.

Proposed Solutions

Throughout the meeting, university presidents and other higher education leaders voiced a commitment to educational equity. All sessions and panels focused on the importance of thinking not only about admissions but also about broader institutional systems and policies that can lead to equitable outcomes for all students. They noted that this is a time for collaborative action, with universities working individually and collectively to advance equitable changes in higher education systems, policies, and practices to benefit all students. One speaker stated that decision-making at this time should not be about which policy or systemic change to adopt but rather how to adopt *many* of them for impact. This is a time for *and* not *or*.

The remainder of this summary presents strategies, recommendations, and approaches identified by participants to help leaders across higher education move their institutions, and higher education overall, forward for the success of their students, the endeavor, and society at large.

Center Equity throughout Campus by Demonstrating Leadership's Commitment

Acknowledge the current inequities in higher education and identify and work to eliminate policies and structures that create barriers to equitable opportunities and outcomes for all students, including students of color. To do so, institutions need to assess the impacts of—and, when warranted, change—long-standing norms, policies, practices, and curricula to better align with the institutional mission, including its DEI interests. The institution's (and senior leadership's) commitment to racial equity and inclusion should be visible not only in rhetoric but also in tangible actions, policies, and outcomes.

Change will require a cultural shift in higher education. It will involve building a culture and associated systems, as well as policies and programs, within

the institution to value and advance a community where a broad diversity of students and faculty can thrive. Such a culture will naturally increase student attendance, retention, graduation, and successful pursuit of academic and other careers.

Cultural change is needed at multiple levels—including among senior leaders, faculty, and staff—and within various institutional functions, such as student recruitment and student and faculty mentorship. Recommendations for each identified area are outlined below.

Senior and Other Leadership

- Board of Trustees Task Force: Educate trustees on the value and integral role of equity and diversity in the institution's mission; embed racial equity in a strategic plan.
- Leaders at All Levels: Educate leaders across the institution and adopt effective, legally sustainable strategies to achieve associated goals. Center equity as part of the mission, create support and accountability mechanisms (e.g., with multi-office coordination teams), and communicate this priority throughout the institution and to key stakeholders.

Faculty and Staff Recruitment

- Consider faculty’s role in student recruitment and development when recruiting faculty. Faculty recruitment often focuses heavily on research productivity and not enough on capacity to advance student success. Leaders can place more emphasis on institutional readiness to support students in achieving their potential.
- Diversify faculty selection committees. Prioritize robust outreach to build a broadly diverse applicant pool. Include faculty of color and those committed to hiring and supporting a diverse faculty body on committees, provide effective training, and create outreach accountability systems. Evaluate candidates’ individual promise within the context of opportunities available to them.
- Refine, communicate, and act on key definitions. As part of the hiring process define *qualified* and *merit* to include candidates’ actions and expertise in advancing equitable learning and success for all students. Include new faculty and staff in the institution’s equity-dependent mission.

Faculty and Staff Development

- Make demonstration of a commitment to equity a criterion for faculty and staff awards.
- Educate faculty and staff on students’ K–12 preparation and contexts so they can adapt to meet the needs of incoming students and can recognize and support student promise.
- Provide faculty and administrators with the financial resources to build K–12 partnerships and create campus-wide educational initiatives about the diverse needs and experiences of incoming students.
- Support faculty of all identities who contribute to advancing a diverse and equitable learning community (e.g., via inclusive pedagogy and student mentoring). Leaders can provide financial and workload support and recognize this work in compensation, performance evaluation, and promotion decisions.

Student Recruitment (Undergraduate and Graduate)

- Refine and reform merit definitions. While academic ability is important, set admissions standards that recognize student promise and achievement in relation to their opportunities. To advance equity and diversity interests related to the institution’s mission, value individuals of all identities who demonstrate authentic interest, significant knowledge, and meaningful action.
- Within the admissions process, emphasize and communicate to all stakeholders the institution’s commitment to equitable and diverse learning communities and students of all identities who can contribute to the mission.
- Provide faculty and admissions staff with training, clear resources, and rubrics to evaluate applications fairly, and that emphasize the campus’s mission and commitments.
- Create an application and interview questions that allow students to demonstrate lived experiences and knowledge, skills, character qualities, inspirations, and aspirations that are related to the mission and their promise to contribute to the learning community and society.
- Train recruiters to build a diverse applicant pool within legal parameters. Keep the recruitment process separate from the decision-making process to enable inclusive race-targeted outreach within a robust general outreach effort.
 - Reach all promising and interested students with outreach, while avoiding consideration of individuals’ racial status in conferring material benefits and making admissions decisions.
 - Collect demographic data on the student applicant pool and provide that information to those doing outreach. Avoid sharing these data with people involved in application file review and decision-making. If that is infeasible due to resource limitations, create and implement training, clear instructions, and protocols to ensure that demographic data are not discussed or considered in decision-making.

- Provide anti-bias training and advisors to help search committees and admissions staff acknowledge and address personal biases that might hinder the admission of students from diverse backgrounds.
- Collaborate with compatible institutions to build pathways. Learn from other institutions' processes and expand students' opportunities to apply to more than one institution (e.g., accessible applications, increased information about admission processes, student support, etc.).
- Reallocate aid from merit- to need-based as much as possible and make the process of applying for aid transparent and easy to understand for economically disadvantaged students and families.

Student and Faculty Mentorship

- Train faculty and other staff to be good mentors, so they can provide professional and academic guidance and address students' social-emotional needs.
- Match individual mentors' strengths with individual mentees' needs so that these relationships are productive and beneficial to the mentee.
- Reward faculty for being effective mentors by adjusting workloads, offering additional compensation and promotion opportunities, and by evaluating mentorship in performance evaluations. Hold faculty accountable for poor or harmful mentorship.
- Increase student and faculty access to quality mentorship and guidance. Undergraduate and graduate students and new faculty often benefit the most from mentorship within their discipline.
- Promote mentorship that changes the culture and is contextualized to individual needs (e.g., racial equity-minded internships and mentoring).

- Consider a central fund for mentee research and create mentoring groups that provide students and faculty mentees with access to various perspectives and guidance. Eliminate student dependence on a single mentor.
- Create mentorship programming in which all faculty, regardless of race and gender, are encouraged to participate in mentoring their students. Implement an early warning system so that mentors and advisors are alerted when students could benefit from additional mentorship support.

While attendees did not have a recommendation on the use of standardized tests in admissions, they noted mixed evidence on the impact of test-optional or test-free admissions policies. They urged that any metrics used in the process should enable students of varying opportunities to demonstrate their promise.

Speakers noted that the public, as well as many students and other stakeholders within institutions, often view colleges and universities as having competitive cultures. To move forward, institutional leaders must leverage this period of challenges and opportunities to implement systemic change at all levels of their institutions. Despite the Court's ruling and other societal challenges, higher education can move forward toward equity. While every needed change cannot be made at once, a combination of actions is needed to have a meaningful and positive impact. Data-rich self-assessment of barriers and accountable solutions are key. Consider tools and support systems for change such as the American Association for the Advancement of Science's SEA Change initiative.²

2. American Association for the Advancement of Science, SEA Change, <https://seachange.aaas.org>.

Uniting Committed and Collaborative University Leaders for Systemic Change

University leaders throughout all of higher education should unite in their shared commitment to racial equity and diversity. Such commitment involves collaborative decision-making within institutions with input from all voices, sharing best practices among institutions and other sectors of the education-research ecosystem (e.g., philanthropy, government, business), and fostering a culture that values a diversity of backgrounds, life experiences, and thoughts.

Leaders need to be collaborative rather than competitive in this period. While institutions may feel economic pressure to adopt policies designed to help them to compete for students, the present moment is an opportunity to collaborate and improve higher education's ability to fulfill its role in society more broadly. Participants suggested the following:

- Create a multi-institution legal defense fund to collectively address and defend legal challenges and pursue litigation.
- Develop a leadership group of expert general counsels who prioritize equity and diversity in academic settings and have the know-how and commitment to guide and defend legally sustainable policies.
- Increase engagement in regional alliances to broaden collaborative recruitment and pathways efforts among institutions and their regional communities.

Leaders emphasized the value of and need for unity in this moment. The higher education-research endeavor is an ecosystem, and including systems and initiatives that advance equitable and diverse learning communities benefits all participants. While efforts toward racial equity have often been led by individuals from marginalized populations (that is, those who are most impacted by inequities), no one identity or institution can make sustainable change alone.

Communicating the Value of Equity to Constituents

Effective communication strategies are critical to articulating the intrinsic value of equity and diversity in higher education. This involves engaging stakeholders, including students, their families, faculty, staff, and external partners, in a dialogue that highlights the positive impact of equitable practices on innovation, academic excellence for all, and societal progress.

Every session noted the importance of reshaping—in ways that resonate with multiple audiences and do not engender further polarization—institutional communication strategies for emphasizing the value of equity and diversity to higher education's quality, integrity, and fairness, as well as the ways they benefit all students and society. Attendees noted that ineffective communication efforts have led to misunderstandings and contributed to the current contentious legal and social context. Careful attention should be given to the broader implications of communication efforts.

For example, an ecosystem-wide education-research marketing campaign (encompassing institutions, corporations, philanthropy, and government) could emphasize to the broader public the role of equity and diversity in producing associated student and societal benefits. The group heavily debated and rejected the common misperception that decisions based on merit and those based on racial equity are usually at odds. With escalating challenges and diminished public understanding of the broad value of higher education and the role of diverse student populations in producing that value, institutional and collective action are critical.

Speakers outlined communication strategies for different audiences, noting that an audience's needs, contexts, and relationships will impact the strategy selected. All strategies should prioritize students. The following guiding considerations were identified:

- Use accessible content that does not increase polarization.
 - Not all goals for equity and diversity efforts will resonate with all audiences: some will respond more favorably to workforce-aligned goals such as productivity, creativity, and future student success; others will respond more to goals that support positive social impacts. Communication strategies should thus be tailored to specific communities.
- Consider who should communicate with each audience.
- Be mindful of when, and in what medium, to communicate.
- Use care in deciding which terms are used with each audience to enhance the likelihood that the message will be heard, understood, and positively received.
- Measure and report what the institution values, including equity and diversity. Use data and understandable research to support messages about the value of these interests.

In addition to the broad strategies outlined above, participants noted several strategies that have proven effective for individual stakeholder populations:

All Stakeholders

- Share stories about students' life journeys (how they came to the institution, their experiences at the institution, and the life-changing benefits they and their families and communities have received), as well as ways in which the institution could better support their needs.
- Communicate actions the institution is taking to address its commitment to meeting unmet needs.

Senior Leadership and the Board of Trustees

- Work closely with the institution's Board of Trustees to determine risk tolerance. Educate trustees about the role of diversity and equity-related legal risks within the broader array of

mission risks. While taking actions that are clearly at odds with the law may harm the institution's work toward racial equity, excessive risk aversion can be similarly harmful. A risk-reward balance is critical to policymaking.

- Elevate understanding and collaborate with the Board to establish an institutional mission that prioritizes equity, diversity, and related strategic goals. Similarly, elevate senior administrators' understanding of methods to advance such goals.
- Measure progress toward goals using tangible metrics tied to student experience (e.g., whether students of different identities, backgrounds, and perspectives can fully participate as individuals or whether students can engage meaningfully with a broad diversity of peers) and outcomes (e.g., application, retention, and graduation rates).
 - While it is important to measure student experiences and outcomes within the context of student-body demographics, the Court ruled that numerical *goals* for student body composition are improper. However, senior leadership can examine outcomes for enrolled students (e.g., graduation rate by race) and take steps to eliminate disparities, an approach that may have the added benefit of creating a more inclusive environment on campus for all students.
- Examine present and past student-body demographics to assess the context associated with findings about student experiences and to determine (and, where needed, enhance) the effectiveness of the institution's pedagogy, outreach, admissions, aid, and other programs to reach and serve all promising individuals. Share data and analyses with senior leadership and the Board.

Faculty and Staff

- Educate faculty and staff about how the mission and excellence of education and research depend on the creation of an equitable and diverse academic community.

- Highlight ways this can be done at departmental and unit levels to elevate understanding across the institution.
- Share metrics and data and report to staff on progress so that faculty and staff can maintain their focus on advancing the equity and diversity mission of the institution. Involving faculty and staff in the data collection and analysis process can give them more ownership of the work and help achieve objectives.

Students

- Share stories of current students with prospective and incoming students who may have similar backgrounds or life experiences.
- Demonstrate to current and incoming students the institution's sensitivity to the impacts of the Supreme Court decision and communicate unwavering commitment to all students. Note specific actions being taken by the institution.
- Develop internal messaging for how each academic and student affairs unit will support student success.
- Develop external student success messaging for relevant communities (at the state, regional, and local levels) on how the institution prioritizes success for every student.

Alumni and Community Stakeholders

- Share student and alumni success stories that emphasize students and alumni from the local community to enhance local and regional relationships.
- Increase community outreach efforts so that local communities can communicate institutional messages of student and community success. (Institutions can use low-cost strategies such as Zoom outreach and workshops to open pathways.)

Institutions should consider and learn from the harm that failed communication strategies have had both on individual institutions and all of higher

education. When an institution's commitment to student success, including the success of students of color and students from low socioeconomic, first-generation, and other marginalized backgrounds, is not well understood and publicized, a reduction in applications, admits, and yields is likely to result. Furthermore, ineffective communication can lead to broad disillusionment with and distrust of higher education. By more clearly articulating commitments to students and demonstrating meaningful action, higher education can rebuild trust and support for their missions among prospective students, alumni, and society.

Fostering Community Partnerships

Forging strong partnerships with local and other communities that serve students who face heightened barriers is critical to expanding educational pathways that facilitate students' access to higher education. Creating opportunities for mentorship, internships, and community engagement emerged as key strategies to bridge gaps and empower students from diverse backgrounds.

Throughout the meeting, speakers emphasized the importance of building community partnerships to increase awareness of, and access to, college for students in underresourced communities and schools. Several noted that local partnerships are part of a dynamic ecosystem and can be of benefit to both students and institutions. By authentically valuing and using strategies to advance geographic diversity and serve underresourced communities, institutions will contribute meaningfully to achieving broad equity goals. Furthermore, by increasing access and engagement, this strategy can readily benefit local communities where the institution is located.

However, participants also noted that institutions seeking to recruit students from local and underresourced schools and regions need to communicate that commitment to them. Efforts must be transparent and rooted in community engagement and support. Local communities may not see the institution

as well-aligned with their interests; therefore, institutions must proactively engage with their communities and highlight their commitment to shared interests. Speakers identified several proven tactics to create and enhance community partnerships.

- Early action programs can target students who are first-generation college students and from the local community, region, or state.
- Partnerships with K–12 schools in neighboring communities, particularly Title I and other schools in need, allow institutions to provide resources, tutoring, and teacher training and development.
- Admissions programs can work with the institution’s alumni—especially those who are local and/or from historically underrepresented backgrounds—to recruit students from within the alumni’s network and community.
- Partnerships with local high schools can increase student understanding of college options and the college and financial aid application processes. Programs are most equitable when they help students identify a wide range of college options and prepare them to apply to any college they may choose, rather than solely recruiting students to the institution that is conducting the program.
- Partnerships with local community colleges can be used to introduce students to four-year institutions, provide access to libraries and mentoring, offer opportunities for coregistration or course-taking at four-year institutions, and share available options with students receiving associate’s degrees.
- Diverse faculty pathway partnerships help institutions diversify their faculty and increase access for local residents who may be interested in and qualified for faculty positions.
- Alliances and partnerships across institutions can increase community awareness and resources.
- Programs and events that are designed to help people in the community, not the institution, can increase community engagement and its support of the institution.

Building effective pathways to higher education requires institutions to engage actively with their local communities and regional schools. While this is a successful model, the strategies outlined at the meeting were specific to the speakers’ institutional and community contexts. To be effective, strategies must be tailored to the local context and the institution’s history with those communities. What worked for one institution and community likely will need to be adapted before it can be used successfully in other contexts.

Highlighting and Funding the Valuable Expertise and Contributions of Historically Black Colleges and Universities (HBCUs) and Minority-Serving Institutions (MSIs)

Participants noted the importance of acknowledging the contributions of MSIs and HBCUs and the value of creating equitable and respectful institutional collaborations among MSIs and HBCUs with predominantly white institutions (PWIs). Through these collaborative efforts, MSIs, HBCUs, and PWIs would increase understanding of how to create equitable learning opportunities for all students, improve innovation, and continue strengthening their educational pathways. Examples of collaborative efforts include sharing resources, expertise, and best practices; offering joint programs; facilitating student and faculty exchanges; and making information about application processes and financial support broadly transparent and easy to navigate for students.

Participants emphasized the importance of collaborative partnerships among HBCUs, MSIs, and PWIs. However, the success of these partnerships depends on leaders confronting bias. Attendees recognized that partnerships of PWIs with HBCUs and MSIs have historically been unequal, with well-resourced PWIs receiving more external funding and often devaluing HBCUs’ and MSIs’ expertise and contributions. Equitable partnerships, which respect the value that all partners offer one another and the HBCUs’/MSIs’

lead grantee role, are essential for increasing opportunities for all students. Such partnerships increase PWI exposure to the expertise of MSIs and HBCUs in centering student promise, creating positive experiences and outcomes, and producing a substantial percentage of graduates of color in key fields. HBCUs and MSIs elevate unique perspectives and experiences, fostering diversity that enriches the entire educational landscape. Also, through collaborations such as more transparent and facile transfer processes, resource sharing, knowledge sharing, and faculty and student development and exchange, institutions can enhance opportunities and outcomes for all students, enrich faculty capacity to serve all students well, and break down systemic barriers. Such collaborations help institutions promote a culture of equity and diversity and equitable access to quality education in a range of institutions, leading to a more equitable future for higher education and, ultimately, society.

Furthermore, partnerships between Research 1 institutions and HBCUs and MSIs that are on the path toward R1 designation can supplement and further the development of the research enterprises of all involved institutions and their students by sharing resources and expertise. HBCUs and MSIs can benefit from the additional resources available at R1 institutions, and R1 institutions can benefit from the expertise on equitable education systems at HBCUs and MSIs. Both can benefit from innovative research that results from teams of researchers with different lived experiences. Furthermore, R1 institutions should create more accessible and robust research pipelines, such as increased undergraduate research opportunities and research internships for students of color, as for all students, both within and across

their institutions, to improve and diversify the research produced throughout higher education. Through shared knowledge and resources, HBCU/MSI and R1 partnerships can advance more diverse, equitable, high-quality educational and research opportunities for all students.

While a small number of HBCUs and MSIs graduate more students of color in some professions such as STEM PhDs than their counterparts, graduates from HBCUs and MSIs often experience ongoing stigma, as they are perceived as being less well-prepared for the workforce and face more limited access to academic and other careers.³ Attendees noted that, while quality varies across all institutions (HBCUs, MSIs, and PWIs), each institution must be evaluated on its own merit. They also noted that HBCU and MSI graduates of all identities bring both the academic knowledge cultivated by their institution's program *and* the unique, equity-advancing insights that derive from their experience of being in a culturally/socially dominant or subordinated position in college that is the opposite of their position in society at large. These insights can form the basis of valuable contributions to partnerships with PWIs. If these partnerships are to be successful, however, higher education will need to broadly acknowledge and address its own biases and commit to a communication strategy that works to overcome these misperceptions in higher education and beyond.

3. U.S. National Science Foundation, "NSF Establishes New Center to Study Successful Undergraduate STEM Education Practices at Historically Black Colleges and Universities," press release, August 19, 2020, https://www.nsf.gov/news/special_reports/announcements/081920.jsp.

Summary and Recommendations

This exploratory meeting was grounded in the principle that law is a design parameter for systems, policies, and initiatives, not an impenetrable barrier to equity and diversity. It recognized that, while higher education must comply with the 2023 U.S. Supreme Court ruling banning individual, race-conscious, higher education admissions processes, many strategies and policies are available to advance equity and diversity within the new legal parameters. Pivotal recommendations for university leaders included:

- Taking a comprehensive rather than selective approach to strengthening an institution's commitment to equity and diversity;
- Building collaborative partnerships both within an institution and with other higher education institutions' leader and stakeholder communities, including alumni, faculty, student, local, regional, and state communities;
- Identifying, reflecting on, and rectifying institutions' systemic barriers and biases, efforts that may require data-rich self-assessments, structural changes, and the pursuit of new policies and programs;
- Clearly communicating the role of equity and diversity in the core educational mission to all stakeholders; and
- Infusing mission-relevant equity and diversity interests in all aspects of the institution, including definitions of *merit* and individual qualifications, pedagogy, and the recruitment, training, support, and reward of students, faculty, staff, and leadership.

Appendix A: Meeting Participants

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Appendix B: Meeting Session Titles

A Time to Lead, A Time for Collective Action

What the Court Decided, the Scope of Impact, and
Why DEI Survives and Can Thrive

Confident and Committed Leadership—
Lessons from Leaders Who've Been Here Before

After Affirmative Action: Higher Education at a Crossroads

Leveraging Subject Matter of Race and Other Avenues for
DEI Action and Systemic Change

Managing to Meet the Moment: Strategies to Align Aims and Efforts, and
Coordination of Resources and Expertise

Getting Serious about Equity in the Research Enterprise

Resourcing New Investments in DEI: Funder and
Donor Expectations & Resource Reallocation

Getting Serious about Equity:
Barrier Removal, Climate, Merit Definitions, and Rewards

The Importance of Engaging Stakeholders through Communications

Resources to Move Forward—What Do Leaders and
Their Campuses Need, What's Available, Where Are the Gaps

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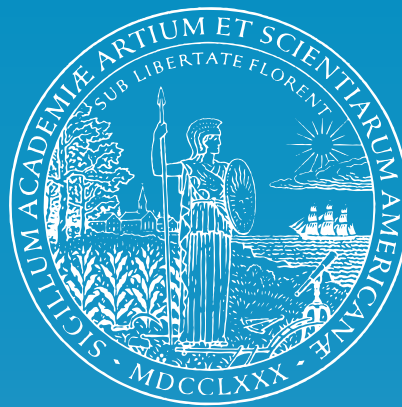
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