

APA Policy Statement on Equitable and Inclusive Student Admissions in Higher Education

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On June 29, 2023, a majority of the U.S. Supreme Court struck down the use of race-conscious admissions programs in public and private colleges and universities. In so ruling, the Court majority overturned decades of legal precedent and ignored psychological science on which colleges and universities have relied in seeking to address the underrepresentation of students of color to achieve a diverse student body. The court majority decided that such admissions policies violate the Equal Protection Clause of the 14th Amendment of the U.S. Constitution. Justice Ketanji Brown Jackson wrote in her dissent, which relied heavily on the APA *amicus* brief and the psychological science the brief presented:

[D]eeming race irrelevant in law does not make it so in life. And having so detached itself from this country's actual past and present experiences, the Court has now been lured into interfering with the crucial work that UNC and other institutions of higher learning are doing to solve America's real-world problems. (*Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*, 2023, p. [233])

The Supreme Court majority in *Students for Fair Admissions, Inc. v. Harvard College* and *Students for Fair Admissions, Inc. v. University of North Carolina* (2023) suggests that it is applying *Grutter v. Bollinger* (2003), which upheld the race-conscious admissions program at the University of Michigan and found diversity to be a compelling state interest. However, Justice Clarence Thomas admits in his concurring opinion, "*Grutter* is, for all intents and purposes, overruled" (p. [106]).

Moreover, the court majority disregards the compelling science establishing the psychological damage and educational harm inflicted on students of color when they attend higher education institutions where discrimination, prejudice, and underrepresentation exist. Race-conscious admissions has been a necessary equity-based and evidence-based approach that helped correct for inequities in communities and schools based on centuries of racism with respect to access and resources. As Justice Sonia Sotomayor states: "The devastating impact of this decision cannot be overstated. The majority's vision of race neutrality will entrench racial segregation in higher education because racial inequality will persist so long as it is ignored" (pp. [207–208]). Or, as Justice Jackson wrote, the court majority's decision is "unmoored from critical real-life circumstances" of racism, and instead "[w]ith let-them-eat-cake obliviousness . . . , the majority pulls the ripcord and announces 'colorblindness for all' by legal fiat" (p. [233]).

The U.S. Supreme Court's Majority Decision Striking Down Race-Conscious Admissions Will Not Achieve Color-Blindness or Make Race Irrelevant on Most College Campuses

The court's decisions will worsen underrepresentation of certain racial and ethnic groups at higher education institutions that are not Historically Black Colleges and Universities (HBCUs) or tribal colleges and universities. One recent study, examining enrollment data from 53 public universities in states with and without bans, found that having a ban reduced representation of racial and ethnic minorities by a staggering 37% (Ly et al., 2022). In states without bans, representation *increased* by 0.7%. Other studies have observed similar impacts (Garces, 2013). The drop in admitted students of color at Primarily White Institutions (PWIs) is well documented. Black undergraduate enrollment at the University of Michigan at Ann Arbor dropped from 7% in 2006 to 4% in 2021 after Michigan banned affirmative action in 2006. The number of Black students at the University of California, Los Angeles fell from 7% in 1996 to 3.43% in 1998 after California passed Proposition 209, banning race-conscious admissions, in 1996 (Saul, 2023d).

The court majority's ruling will exacerbate existing racism on most college campuses. Racism at PWIs is not only individualistic, but also institutional and structural. Such systemic racism results from "laws, policies, and practices that produce cumulative, durable, and race-based inequalities and includes the failure to correct previous laws and practices that were explicitly or effectively racist" (APA, 2021a, p.14). Institutional racism is the result of "policies, practices, and procedures of institutions—such as school, health care, law enforcement, and criminal justice systems—that marginalize diverse racial groups" (APA, 2021a, p.14; see also Carnevale et al., 2023).

Of course, race-conscious admissions policies are not just about numbers—they also involve a holistic analysis of candidates by colleges and universities that consider merit. Individualized holistic review incorporates three components: mission alignment; determining who is likely to succeed and who has the potential to contribute to the learning environment; and consideration of a number of intersectional factors such as academic, nonacademic, and contextual that in combination provide a more complete picture of the individual applicant (College Board, 2018).

As Justice Sotomayor wrote in her dissent:

Experience teaches that the consequences of today's decision will be destructive. . . . Superficial color-blindness in a society that systematically segregates opportunity will cause a sharp decline in the rates at which underrepresented minority students enroll in our Nation's colleges and universities, turning the clock back and undoing the slow yet significant progress already achieved. (pp. [201-202])

Race-conscious admissions programs in higher education have been one important way to address systemic racism across U.S. educational systems. As APA's Statement on Dismantling Systemic Racism explains:

Racism permeates every level of the landscape of education in the United States. . . , from housing and policies that determine where children are zoned to attend school in prekindergarten through postsecondary and lifelong learning, to the detriment of the academic achievement, self-concept, persistence, and success of students of color (APA, 2021b, p. 1)

The statement further recognizes that "students of color are increasingly enrolled in majority-underserved, high-poverty schools and school segregation is associated with significant racial disparities . . . (APA, 2021b, p. 2).

The Majority and Justice Thomas (in His Concurrence) Ignore Compelling Psychological Evidence and Rely on Discredited Studies

In her dissent, Justice Jackson, relying in part on APA's *amicus* brief presentation of the psychological science supporting race-conscious admissions, concluded:

All told, the Court's myopic misunderstanding of what the Constitution permits will impede what experts and evidence tell us is required (as a matter of social science) to solve for pernicious race-based inequities that are themselves rooted in the persistent denial of equal protection. (p. [236])

The court majority opinion and Justice Thomas' concurrence failed to consider psychological studies presented in the APA *amicus* brief, including a study published within the last four years and examining over 80,000 students in the aggregate, that found racial and ethnic minority students regularly experience acts of discrimination in the educational setting (Campbell & Brauer, 2021; Stevens et al., 2018). These findings, grounded in samples from over 100 universities and colleges across the United States, emphasize the omnipresence of racism experienced by students from underrepresented racial and ethnic groups (Stevens et al., 2018).

In banning race-conscious admissions at higher education institutions, the court majority exempts military academies. As Justice Jackson opines in her dissent:

The Court has come to rest on the bottom-line conclusion that racial diversity in higher education is only worth potentially preserving insofar as it might be needed to prepare Black Americans and other underrepresented minorities for success in the bunker, not the boardroom (a particularly awkward place to land, in light of the history the majority opts to ignore). (p. [237])

Seemingly, the race and ethnicity of students may be considered when schools prepare them for war, but not to study psychology.

Furthermore, Justice Thomas advances in his concurrence the discredited "academic mismatch" hypothesis, arguing that the use of race in holistic admissions leads to the "inevitable" "underperformance" by Black and Latinx students at elite universities "because they are less academically prepared than the [W]hite and Asian students with whom they must compete" (p. [88]; *Fisher v. University of Texas*, 2013). Over two decades ago, a pair of seminal studies demonstrated that graduation rates of all students, including racially and ethnically minoritized students, rise as the selectivity of the institution increases (Bowen & Bok, 1998; Kane, 1998). More recently, research has reaffirmed that "the mismatch hypothesis . . . is empirically groundless for [B]lack and Hispanic (as well as for [W]hite and Asian) students" (Alon & Tienda, 2005, p. 21). Another study, which examined nationwide data, found not only that the performance and well-being of racial minority students with lower-than-average SAT scores was *not* undermined, but also that students who benefited from affirmative action earned higher grades and left school at lower rates than other students (Fischer & Massey, 2007).

In fact, the evidence indicates that race-conscious admissions programs *narrow* racial disparities in retention rates (Alon & Tienda, 2005). Research also demonstrates that racial and ethnic minority students who attend selective colleges show an increase in "the completion of advanced degrees, earnings, and overall satisfaction with college experiences" (Alon & Tienda, 2005, p. 23).

Justice Sotomayor points out in her dissent the "debunked" studies on which Justice Thomas relies:

The Court previously declined to adopt this so-called "mismatch" hypothesis for good reason: It was debunked long ago. The decades-old "studies" advanced by the handful of authors upon whom Justice Thomas relies . . . have "major methodological flaws," are based on unreliable data, and do not "meet the basic tenets of rigorous social science research." (p. [195])

The U.S. Supreme Court Majority's Ignorance of Racism on Most Campuses Will Increase the Psychological Damage and Academic Harm Inflicted on Students of Color

Race-conscious admissions programs have *redressed* negative psychological and academic effects of racism on many college campuses; they do not cause them (Ayres & Brooks, 2005). Accordingly, the court majority's "let-them-eat-cake obliviousness" (p. [233]) of campus racism will increase the profound psychological damage and academic harm inflicted upon students of color at PWIs (Museus et al., 2012).

Psychological researchers have found that when one member of a group is the victim of discrimination, that discrimination can lead to poorer mental health outcomes for all members of the targeted group, harm that does not impact members of the majority group within the same community (Bor et al., 2018; Curtis et al., 2021). Such discrimination-based mental health strains may cause stress, anxiety, and depression that, in turn, significantly impact academic achievement (Billingsley & Hurd, 2019).

Other psychological harms, including a feeling of tokenism and a lack of belongingness, flow from subtle discrimination and implicit bias in communities lacking sufficient representation of individuals of color. When a student is the *only* person of a social identity within a group, they experience intense, "tokenizing" isolation and have even worse academic outcomes, causing students to "experience relatively greater uncertainty about their belonging in school" (Walton & Cohen, 2011, p. xx). These feelings often create an internal fear—a "social identity threat"—that one's actions will prove others' biases as accurate (Rosenthal & Crisp, 2006; Spencer et al., 2016). A recent longitudinal study of nearly 2,000 Latinx and Black students across 27 colleges and universities found that experiences of discrimination were predictive of poor physical health, increased depression, poorer academic outcomes, and lower graduation rates (Brannon & Lin, 2021). Research also shows the enormous emotional pressure of a "model minority" stereotype on Asian American students (Tran & Birman, 2010). Psychological studies have found that the added cognitive load and related stress may lead students to remove themselves from the classroom or campus altogether (Locks, et al., 2008; Murphy et al., 2007; Page-Gould et al., 2010; Rosenthal & Crisp, 2006; Walton & Cohen, 2011).

The Supreme Court's Overreaching Restrictions on Higher Education Admissions Removes Student Racial and Ethnic Diversity as an Antidote to Many of the Negative Educational Impacts of Discrimination and Prejudice

The court's overreaching restrictions on colleges and universities in developing student admissions programs removes overt consideration of student racial and ethnic diversity as an antidote

to many of the negative educational impacts of discrimination and prejudice. As the influence of discrimination and prejudice is reduced, psychological phenomena inhibiting academic success for minoritized students become less dominant (Bowman & Denson, 2022; Onyeador et al., 2020; Pettigrew & Tropp, 2006). As such phenomena subside, all students are able to engage uninhibitedly in the academic enterprise (Carey et al., 2022; Garibay et al., 2018; Hussain et al., 2021).

A 2021 study by Campbell indicates that diversity is an effective remedy to societal discrimination and prejudice, and suggests that discrimination—while still prevalent—can manifest *differently* on diverse campuses than in general society. The findings suggest that campus diversity reduces the extent of prejudice and makes it easier for university communities to mitigate the impact of the prejudice that remains. Moreover, diversity on college campuses benefits all students; positive intergroup contact with people from a different race/ethnicity leads to lower intergroup anxiety, to positive and long-lasting changes to students' attitudes and values (Bowman, 2011; Pettigrew & Tropp, 2011), and to improved critical thinking (Bowman, 2010). The friendships that develop between members of different racial and ethnic groups result in less prejudice and lower intergroup anxiety among those group members (Davies et al., 2013).

As James Baldwin (1962) said, to effectively face the challenge of addressing educational inequity, "Not everything that is faced can be changed, but nothing can be changed until it is faced."

THEREFORE BE IT RESOLVED that the APA encourages higher education institutions to create, maintain, and increase equitable admissions policies that continue to examine the individual holistically, which could include:

- establishing adversity scales, which President Joe Biden has proposed as a new standard "where colleges take into account the adversity a student has overcome when selecting among qualified applicants" (The White House, 2023), similar to the "socioeconomic disadvantage index" developed by the University of California, Davis medical school;
- reviewing portfolios inclusive of a range of factors associated with the necessary qualities and skills of a successful student and professional;
- eliminating preferences for the wealthy, such as donors and children of alumni, which President Biden describes as expanding "privilege instead of opportunity" (The White House, 2023), as have Johns Hopkins University, Amherst College, and the California Institute of Technology (Saul, 2023a; Saul, 2023e); and
- targeting students at high schools that have a limited history of sending applicants to their school (generally, like the University of Virginia; using the "top percent" model, like

the University of Texas system; or a “ZIP code” admissions plan), paying full tuition in geographic areas for students with family incomes of \$150,000 or less (like Duke University), establishing early college programs that allow high school students to take and earn college credit (like Bard College) (Brown-Nagin, 2023), and providing academic support and college admissions advice to high school students in low-income communities (such as the University of California system) (Saul, 2023b; Saul, 2023c).

BE IT FURTHER RESOLVED that APA calls on higher education institutions to promote the values of inclusion, belonging, and diversity within their academic missions, which they “may define . . . as they see fit” (*Students for Fair Admissions, Inc. v. Harvard College*, 2023, p. [34]), and develop helpful essay prompts for students to highlight how their race and/or ethnicity has affected their lives.

BE IT FURTHER RESOLVED that APA reaffirms its commitment to addressing educational inequities as provided in APA’s Resolution on the Role of Psychology and APA in Dismantling Systemic Racism by “combating every level of racism throughout the education system, from prekindergarten through postsecondary education and lifelong learning, for its devastating effects on the academic, physical, psychological, and economic well-being of people and communities of color” and to “encouraging “higher education admissions policies that [include opportunities for applicants to share their] attributes that support [and contribute to] the mission of the institution” (APA, 2021b).

BE IT FURTHER RESOLVED that APA reaffirms its Racial Equity Action Plan’s commitment to work to address racial inequities within educational environments, including early childhood development, prekindergarten to grade 12 schools, and undergraduate and graduate programs (APA, 2022) to foster a healthier academic climate and culture, including:

- Utilizing APA’s role in the field and its resources to promote racial equity in educational institutions.
- Promoting resources that address equity and holistic well-being, including intervention and assessment services aimed at improving the success rates of students of color in educational institutions.
- Encouraging and endorsing the teaching of the history, as well as the contemporary nature, of racism in the United States to prepare all preschool to higher education students to think critically about identity, community, and civics.
- Advocating for psychologically safe and inclusive educational environments through the development of resources and policies for educators designed to raise awareness about all aspects of privilege and to mitigate biases that negatively affect learning and development among students of color.
- Partnering with key stakeholders, inclusive of communities of color and education, to advocate for policies that foster equity for students of color across learning environments in an effort to close the opportunity gap.

BE IT FURTHER RESOLVED that APA encourages faculty members who serve on admissions committees to support and advocate for equitable and inclusive admissions systems.

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