

Re-Imagining EDI Work in Light of the SCOTUS Affirmative Action Ruling

Speakers:

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Brief Description:

This panel will provide guidance to pharmacy schools on how to do DEI work in the absence of affirmative action. Panelists are from schools/universities in states where affirmative action was abolished before the SCOTUS decision, and thus have experiences and perspectives on how to achieve DEI goals without the tool of affirmative action. In addition, attendees will learn how the SCOTUS decision does and does not restrict what institutions can do, which will include a legal perspective.

Learning Objectives:

1. Describe what the SCOTUS decision does and does not mean regarding the use of race, and other identifiers, in admissions, hiring, student life, etc.
2. Discuss approaches to admissions, hiring and student support that do not violate the SCOTUS decision.
3. Identify the different options/levers to pull in the work of diversity, equity and inclusion.

Reflection Prompt 1:

What are the ways in which race and gender can still be considered in admissions, in the absence of affirmative action?

Reflection Prompt 2:

What resources and support would help you in this work at your institution? Is there anything outside of your institution? What do you want AACP to do/have to support you?

Additional Reading about the SCOTUS decision on Affirmative Action:

Jennifer Wyatt Bourgeois, Howard Henderson, and Richard Lempert. "How Will the Supreme Court's Affirmative Action Ruling Affect College Admissions?" *Brookings*, 10 July 2023, www.brookings.edu/articles/how-will-the-supreme-courts-affirmative-action-ruling-affect-college-admissions/. Accessed 2 Jan. 2024.

Knox, Liam. "What the Affirmative Action Decision Means Beyond Admissions." *Inside Higher Ed | Higher Education News, Events and Jobs*, www.insidehighered.com/news/admissions/traditional-age/2023/07/17/what-affirmative-action-decision-means-beyond-admissions. Accessed 2 Jan. 2024.

Lander, Esther G, and Amanda S McGinn. "Impact of Scotus Affirmative Action Ruling on Employers." *American Bar Association*, www.americanbar.org/groups/labor_law/publications/labor_employment_law_news/issue-summer-2023/impact-of-scorus-affirmative-action-ruling-on-ers/. Accessed 2 Jan. 2024.

Panel Questions:

1. What was the value of affirmative action to higher education and pharmacy education?
2. How did the abolishing of affirmative action in your state affect how your school/university functioned?
3. What recommendations/advice do you have for moving forward regarding admissions without the tool of affirmative action?
4. Now that affirmative action has been banned, what information about students and employees can and cannot be collected?

Case Studies:

1. Your institution worked to diversify the faculty in your pharmaceutical sciences department by utilizing target of opportunity, TOO, hires (TOO represents an opportunity to recruit a candidate of outstanding quality that has not emerged through a conventional national search). In the absence of affirmative action, this option is no longer available. What tools and/or approaches exist to support your work in diversifying the faculty without violating the law. And how will you communicate to potential applicants from minoritized groups that you welcome their application? Should you require applicants to submit a diversity statement? If yes, what directions for such a statement would you give?

2. In recruiting students from minoritized backgrounds, your institution was able to offer a scholarship based on race, which was funded by a private donor, who wanted funding to go to women of color in STEM. Going forward, what changes will you make in financially supporting students from minoritized groups? Can scholarships based on identity still be used? And how can you honor the wishes of the donor, or does the donor have to change the parameters of the scholarship?

3. One hallmark of your pharmacy school is the presence of several student organizations formed around identity (such as your Hispanic Pharmacy Student Organization, and Women in STEM student group), which not only provided support for members of these groups, but also served to communicate to future students that your school has a welcoming and inclusive environment. In light of the banning of affirmative action, is it legal/allowed for such organizations to exist in your school? If yes, will there be any changes in structure or rules for these organizations to exist? If not, what strategies can you use to continue to convey to current and future students that your school is welcoming and supportive?

4. To monitor your progress in DEI efforts in your school and university, you have maintained demographic information on all of your cohorts: faculty, staff and students. You regularly review your demographics over the past 10 years to determine if you are making progress in diversity. In light of the SCOTUS decision on Affirmative Action, can such data still be collected? And if yes, can you publicly discuss it? If yes, how can you do so?

5. Until now, your graduate programs admissions team has considered race and gender in admissions decisions. First, discuss how you used, or believe that you used, race and gender in admissions. Second, in the absence of affirmative action, what are ways that race and gender, and other markers of identity, can be included in one's application materials? What changes would you make to your existing application materials to allow applicants to share their identity markers in their application materials? How will your admissions committee utilize this information?