

CAREER FEATURE | 27 September 2023

# Universities axe diversity statements in wake of US Supreme Court ruling on affirmative action

Higher-education campaigners fear that removing the option for job applicants to provide the statements will make the academic workforce less diverse.

[Amanda Heidt](#)

[Find a new job](#)



Students and staff at Florida International University in Miami protested against attacks on diversity, equity and inclusion initiatives in February. Credit: Pedro Portal/Miami Herald/Tribune News Service/Getty

Academic institutions across the United States are abandoning diversity statements provided by potential faculty members in a move that could freeze under-represented groups out of academia, educators warn.

A diversity statement, which is often collected as part of a job application, allows applicants to reflect on their own experiences and explore the question of how diversity, equity and inclusion (DEI) efforts will factor into their teaching and mentoring. Defending the statements' use as the United States becomes [increasingly racially and ethnically diverse](#), Pat Heintzleman, president of the Texas Faculty Association (TFA), who is based in Beaumont, says: "I absolutely think this is a fair question to ask."

But critics of diversity statements and other DEI initiatives say that the measures have been poisoned by political and ideological influences that create needless divisions between groups and threaten national unity. In May, for example, Florida's Republican governor Ron DeSantis described diversity initiatives as promoting "discrimination, exclusion and indoctrination" after signing a bill that bans such programmes in public colleges and universities across the state.



**Academics fight moves to defund diversity programmes at US universities**

Although diversity statements are often voluntary, since 2022, several states have passed legislation barring them from hiring practices. In total, 40 bills have been proposed across 22 states. The bills attempt to ban diversity departments or officers, considerations of race or ethnicity in hiring, and promotion and diversity training for new employees. So far, seven bills have gone on to become law in five states – Texas, North Dakota, Tennessee, North Carolina and Florida.

In North Dakota, a 'divisive concepts' bill signed into law in April banned both diversity statements and mandatory diversity training at public institutions. Nick Archuleta, who is based in Bismarck and is president of North Dakota United, a union that represents roughly 11,500 public employees – including faculty members and students in higher education – says that the bill was adapted from a version first introduced in Tennessee.

"There was no great hue and cry about divisive concepts on our university campuses" in North Dakota from either academics or the public, he says. "Lawmakers haven't been able to cite specific instances where this legislation would have stopped something from happening or encouraged something else to happen," Archuleta says.

Heintzelman notes that in Texas, educators have also been hit with bills limiting the tenure system. Lawmakers originally proposed to end tenure at public institutions entirely, but instead gave university boards with political appointees the power to revoke tenured status. Reasons for doing so include professional incompetence and unprofessional conduct.



**Springboard to science: the institutions that shaped Black researchers' careers**

In response, the TFA and other faculty associations launched a survey in August in conjunction with the American Association of University Professors. It was sent to faculty members in Texas, Georgia, North Carolina and Florida to gauge their concerns and to ask whether they are considering leaving for other states that have less restrictive legislation. Preliminary results from more than 4,250 respondents suggest that as many as 65% would not recommend their states as desirable places to work. One-third were considering interviewing for jobs in other locations, citing salary and a hostile political climate among their top concerns. Heintzelman says these results reinforce a "broad consensus" that the situation is dire and that faculty members are fearful about the future. Another purpose of the survey, she adds, is to collect data from members that can be used to challenge future legislation targeting

higher education.

## **Voluntary action**

Even in states that don't have explicit laws, universities are voluntarily removing diversity statements and other references to DEI following a US Supreme Court decision in June that overturned 'affirmative action' admission policies. These were aimed at widening academia to those who have historically been excluded, particularly women and racial minority groups.

Although that ruling applied only to admissions, "university administrators seem to have been waiting for this decision and have paused certain things over fear of lawsuits", says Stephanie Masta, an education researcher at Purdue University in West Lafayette, Indiana.

For example, Masta, who researches marginalization and racialization in the classroom and runs the university's Faculty of Color Network, says she was recently told that Purdue University's provost's office would no longer fund the group, and that it would need to change the network's name to avoid references to race. The provost's office did not respond to *Nature's* requests for comment.

RELATED



**US Supreme Court on affirmative action: a bitter blow to educational inclusion**

The University System of Georgia banned diversity statements in July, even as one of its institutions, the University of Georgia (UGA) in Athens, shared a campus-wide message of solidarity with faculty members, staff and students in the wake of the Supreme Court ruling, recommitting to “fostering a welcoming, inclusive environment”. One UGA researcher shared on social media that faculty members were quickly asked to remove equal-opportunity statements from existing job announcements. A university spokesperson declined to elaborate on why the decision was made, but said that UGA was following guidance from the University System of Georgia, which includes 26 higher-education institutions. Alongside Georgia, universities in Wisconsin, Missouri and Arizona have approved similar policies.

Several educators say that this atmosphere of exclusion is likely to have a chilling effect on research in those states, placing budgets at risk and alienating the expertise of their own faculty members. “We don’t compete regionally for the best faculty talent and the best students, we compete globally,” says Archuleta about North Dakota. “And if we have a state with these very restrictive laws on the books attempting to smother the free exchange of ideas or limit what kind of research you can do, those folks with all that talent and all those research dollars are going to go someplace else.”

## Impact on historically Black institutions

Data gathered since the start of the COVID-19 pandemic show some students are choosing institutions that they perceive as being more inclusive. After US universities desegregated in the 1950s, enrolment at historically Black colleges and universities (HBCUs) steadily declined. But in recent years, these institutions have seen a surge in applicants. For instance, Morgan State University in Baltimore, Maryland, received 58% more undergraduate applications in 2021 than in 2019 – a record.

RELATED



**Racism: Overcoming science's toxic legacy**

Chad Womack, senior director of national STEM programmes and initiatives at the United Negro College Fund in Washington DC, says that many Black students are drawn to the personal and professional support that HBCUs offer.

But he adds that HBCUs cannot possibly accommodate every student looking to attend; in 2021, more than 90% of Black students went to institutions that are not HBCUs. “It’s a rather strange space to be in, where you’re talking about the almost complete disenfranchisement of certain demographic groups,” he says. “And this kind of thing is accelerating, not decelerating. It’s fascinating and frightening all at once.”

The shift away from DEI, predicts Womack, who was a guest editor of [Nature's 2022 racism special issue](#), is likely to result in fewer Black students making the transition from undergraduate to master’s and PhD degrees through bridge programmes. These are aimed at increasing diversity in science, technology, engineering and mathematics (STEM).

Despite the challenges of navigating an uncertain political landscape, educators and students hope that people will choose to remain in place and demand support from their institutions.

Summer Blanco, a PhD student in plant biology at UGA, says they have considered leaving academia, finding the culture “incongruent with my values”. However, the rash of anti-DEI sentiment has compelled them “to stay in this space, to challenge faculty members and administrators to actively reflect, take action and combat exclusionary practices so that students of colour can thrive in higher education”.

David Baltrus, a plant biologist at the University of Arizona in Tucson, says that in the absence of a supporting diversity statement, DEI efforts are likely to move in a grassroots direction, with individual faculty members taking on the roles that a DEI office or cultural centre would have provided.

All three public universities in the state (Arizona State University in Phoenix, Northern Arizona University in Flagstaff and the University of Arizona) are in the process of rescinding diversity statements, a move Baltrus calls “disappointing”. But, he notes, such statements were more important when they were first introduced in the 2010s, when teachers had less experience of talking about inequities in education. Today, many are more savvy, and they don’t need official policies to practice empathy towards their colleagues and students. “We don’t need the universities to condone certain statements, because a lot of us care, and a lot of us want to find colleagues who are caring as well.”

doi: <https://doi.org/10.1038/d41586-023-03049-8>

#### Latest on:

[Institutions](#) Education Careers



### Proposed law could protect academic freedom across Europe

CAREER NEWS | 22 SEP 23



### US postdocs on strike: how will demands for higher wages be met?

CAREER FEATURE | 12 SEP 23



### Why Juneteenth matters for science

CAREER COLUMN | 08 SEP 23