



August 2, 2017

### **AAUP Responds to DOJ Affirmative Action Initiative**

*The following statement was issued by Hank Reichman, first vice president of the American Association of University Professors, in response to news that the Justice Department will redirect resources to investigating and possibly litigating affirmative action cases in college admissions.*

“The American Association of University Professors is deeply troubled by yesterday's announcement that the US Department of Justice will redirect resources toward investigating and potentially filing suit against colleges and universities deemed to discriminate against white applicants. While the department does not explicitly mention affirmative action, it is clear that the effort—to be directed, it appears, by political appointees rather than career attorneys in the Office of Educational Opportunity—will target programs that offer opportunities to members of historically disadvantaged groups. That such programs remain necessary is demonstrated by Department of Education data showing that the gap in college enrollment between blacks and whites did not change measurably between 2003 and 2013.

“For many years, the AAUP has taken a leadership role in affirmative action debates by emphasizing the educational value of diversity. As early as 1978, we filed an amicus brief in *Regents of the University of California v. Bakke* to protect the primacy of the faculty role in developing educationally appropriate admissions criteria. In 1997, the Association's annual meeting expressed “its continuing concern over the reduction or elimination of affirmative action programs that have important educational benefits for all students.” That resolution declared, “Under-representation of these groups in the academy remains a serious problem. Barriers to their full participation and advancement must be eliminated.” In 2016, we joined thirty-seven other higher education organizations in an amicus brief in *Fisher v. University of Texas at Austin*. That brief argued that consideration of race in the admissions process is appropriate and advanced the AAUP's longstanding view that diversity is essential not only for students but for the entire academic enterprise.

“The Department of Justice has as yet declined to provide details about the new effort. While we hope that any prosecutions will be consistent with current Supreme Court precedents upholding the constitutionality of race-conscious admissions programs, the AAUP will join with other organizations and individuals in higher education to vigorously defend the value of

diversity and the rights of faculty and institutions to determine for themselves appropriate admissions standards in service of the common good.”

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*The American Association of University Professors (AAUP) champions academic freedom; advances shared governance; and organizes to promote quality and economic security in higher education. Since 1915, the AAUP has shaped American higher education by developing standards that uphold quality education and ensure higher education’s contribution to the common good.*

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