SUSTAINING AND BUILDING ON DIVERSITY AND EQUITY EFFORTS: A MORAL IMPERATIVE IN HIGHER EDUCATION POST-SFFA

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EXECUTIVE SUMMARY

In June 2023, the U.S. Supreme Court ruling in *Students for Fair Admissions v. Harvard/UNC* effectively ended the consideration of race in college admissions decisions across all sectors of public and private higher education. This ruling culminated a series of decades-long legal and political strategic attacks on race-conscious admissions. Despite the 2023 ruling, postsecondary institutions must still tend to the social contract between the public and higher education, which receives public investments and plays a vital role in the democratic, economic, and overall health of an increasingly diverse society.

In this brief, we synthesize lessons learned about alternative approaches for diversity and equity from postsecondary institutions in states that experienced affirmative action bans prior to 2023. Before *SFFA*, eleven states had banned affirmative action via ballot measures and government actions, as anti-equity litigants assailed admissions practices for goals of diversity in the court system. Public higher education systems and institutions have experimented with a range of alternative approaches toward meeting their mission-based responsibilities to an increasingly diverse public.

Without race-conscious admissions, there is no singular solution to the racial inequalities in higher education access and degree completion, which are consistently reproduced by established systems of organizational norms and practices. As of yet, no higher education system or institution in a state with an affirmative action ban has instituted a "race-neutral" approach to achieving the racial diversity that would have

been possible with race-conscious admissions. This should motivate higher education and policy leaders to boldly and creatively work to innovate, experiment, and test new ideas and approaches.

Below, we provide some recommendations for admissions, enrollment management, and student retention, based on a synthesis of research on previous efforts:

- Invest in strategic and targeted recruitment and outreach strategies in partnerships with community-based organizations and leaders.
- Examine and transform admissions practices, including recruitment for applicants, evaluation methods for identifying academic qualifications and potential student contributions to campus learning environments, norms in shaping a class (e.g., early decision), and yield recruitment.
- Consider designing guaranteed and direct admissions programs.
- Examine and improve campus climates for learning, with a focus on student support systems to solve equity gaps in retention and degree completion.
- Invest in effective campus and statewide data infrastructure to inform systemic analysis and leadership, with the goal of improving organizational practices and norms to address equity gaps in access, retention, and degree completion.
- States should center equity principles in state funding formulas for higher education (e.g., equity-based funding models) across institutional types and invest in Minority-Serving Institutions.

Post-*SFFA*, higher education leaders should learn from what we know about "race-neutral" strategies that have been implemented, invest in promising practices, and continue innovating.

Introduction

Historical Context: Statewide Affirmative Action Bans Before *SFFA v. Harvard*

Approximately one year after signing into law the historic 1964 Civil Rights Act, President Lyndon B. Johnson famously described the next phase of the fight for civil rights, saying, "it is not enough just to open the gates of opportunity. All our citizens must have the ability to walk through those gates. This is the next and the more profound stage of the battle for civil rights."

Soon after, affirmative action in higher education emerged as an important means of redress for Black and other communities of color who had been structurally denied equal opportunity in the workplace and education. This move demonstrated an ongoing shift in

the social contract between higher education and the public, in which higher education was reimagined from primarily a training ground for the sons of landowners to a vehicle for social mobility.

Now, in the 21st century, the "new social contract for education" demands that, "Higher education must also be socio-culturally relevant. Appreciation of cultural diversity, a commitment to defend human rights, and intolerance for racism, sexism, classism, ethnocentrism and discrimination in all forms must be key educational objectives."[1] In other words, institutions of higher education have a moral responsibility to address social injustice.

In the United States, affirmative action has historically been a significant strategy for fulfilling this responsibility. For decades, affirmative action and race-conscious admissions in U.S. higher education weathered legal challenges, evolving into cornerstone tools for universities seeking to create more diverse pipelines to and through higher education.[2,3]

Supreme Court rulings rolled back affirmative action programs that either used racial quotas—as in *Regents of California v. Bakke (1978)*—or used race as a bonus in a points-based admissions—as in *Gratz v. Bollinger (2003)*. In *Grutter v. Bollinger (2003)*, the Supreme Court affirmed that the benefits of diversity offered a compelling interest to justify individualized review and the limited consideration of race as one among many factors in admissions. The Supreme Court upheld the precedent established in *Bakke* after additional challenges in *Fisher v. University of Texas I and II* (in 2013 and 2016, respectively).

This makes the Supreme Court's 2023 ruling in *Students for Fair Admissions v. Harvard and UNC* (*SFFA*) all the more stunning,

as it has rejected decades of legal precedent and research demonstrating the compelling benefits of diversity through the consideration of race. The ruling has catapulted U.S. higher education into a new and deeply uncertain era for promoting diversity and equity.

The *SFFA* ruling applied the ban on race-conscious admissions nationally, with public and private schools similarly affected. Prior to this, 11 states already had affirmative action bans affecting their public higher education systems. These bans came in multiple waves through a combination of ballot initiatives, government action, and lawsuits.

In 1996, both California and Texas became the first states to implement bans: California, through the passage of Proposition 209; and Texas, through an anti-affirmative action lawsuit (*Hopwood v. Texas*) which the state fought and lost in the Fifth Circuit Court of Appeals. In 1998, Washington passed Initiative 200, discontinuing consideration of race, sex, and ethnicity in college admissions. In 1999, Florida's governor ended affirmative action policies via executive order, and in 2000, Georgia opted not to fight an anti-affirmative action lawsuit (*Johnson v. Board of Regents of the University of Georgia*), resulting in a ban throughout the University of Georgia system.

The second wave of affirmative action bans came in the late 2000s and early 2010s. Michigan banned affirmative action in 2006 via a state ballot initiative, with similar ballot measures passed in Nebraska and Arizona in 2008 and 2010, respectively. New Hampshire implemented its ban via legislation (House Bill 623) in 2012, while Oklahoma's was implemented via a statewide ballot initiative that same year. Most recently, in 2020, Idaho banned affirmative action via House Bill 440,

and a California ballot initiative ([Prop 16](#)) to reinstate affirmative action failed.

There are takeaways to be gleaned from this history. First, conservative interest groups and think tanks strategically targeted and initiated state ballot initiatives, or supported anti-affirmative action lawsuits, using similar language across states. This trend holds true for *SFFA*, led by conservative litigant Edward Blum, who originally brought forth the *Fisher* challenges.[4]

Second, the second and third waves of bans notably emerged in times of increased Black political visibility and power—the second wave, with the rise of Obama in the late 2000s, and the third wave, with the rise of the Black Lives Matter movement in 2020. Each of these political moments became lightning rods for resurgent white supremacy.

The broader success of anti-affirmative action electoral ballot initiatives suggests political will to defend alternative diversity programs is vulnerable and at risk of further decline. The 2023 *SFFA* ruling has emboldened conservative lawmakers to pass state-level bans on all "diversity, equity, and inclusion'" (DEI) initiatives, well beyond the Supreme Court's narrow focus on admissions, contributing toward the growing chilling effect against DEI change efforts amongst many higher education leaders.[5,6]

In the face of rising anti-DEI attacks and uncertainty for a path forward, our research group sought to synthesize research on strategic alternatives for higher education equity and diversity in the eleven states that operated under affirmative action bans prior to the 2023 Supreme Court ruling. What can

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CASE FOR URGENT ACTION | Across all sectors and organizational roles, leaders in higher education have a moral obligation to examine and transform systems and practices in colleges and universities to improve equitable access and participation across race, class, gender, and other dimensions of identity. Now is the time institutions and educational leaders must act to protect and ensure opportunities for historically marginalized students of color to access higher education. While affirmative action was not a panacea for racial inequality and injustice, it served to uplift and recognize the diversity of experiences students bring to the college admissions process. Without urgent action, we risk losing decades of progress that have provided social mobility for countless students and their families. Although the tool of race-conscious admissions has been removed, higher education leaders can and must courageously examine their systemic norms that continually reproduce inequality in its many forms, to creatively transform structures of access and college completion to better serve the public. We urge institutions of higher education to learn from and adapt strategies implemented in states with affirmative action bans already in place, in addition to thinking creatively and thoughtfully about how to fully support the needs of historically marginalized students. Institutions must remember their call to educate all students and prioritize making higher education accessible for students from all walks of life.

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we learn from institutional efforts aimed at meeting their public missions to serve and educate the diverse populations found in these eleven states, while minimally complying with a ban on affirmative action? How can states, higher education leaders, and organizations across the country build on any lessons that can be gleaned from these eleven states?

This brief elaborates on what we have learned from our review of these states' admissions policies, as well as subsequent outcomes and experiences of students of color. Our intent is twofold: first, to provide an overview of alternative strategies for creating more equitable and diverse higher education pathways and experiences; and second, to encourage higher education policymakers, administrative leaders, and faculty members to be bold and creative as they seek to fortify their commitments to diversity, equity, and inclusion.

How Will We Know What Works? A Call for Collaboration Between Academic Researchers and Institutional Leaders

Many studies have addressed the negative effects of affirmative action bans on racial diversity, particularly at flagship universities.[7,8,9,10] The disproportionate attention on more selective and more well-resourced institutions—though important—has created a narrow framing of equity in higher education, leaving out a broader view of state ecosystems of postsecondary education. Consequently, this skewed perspective can risk missing promising practices that can be learned from smaller or regional institutions, which collectively educate the majority of college students and can be critical partners in advancing diversity across the landscape of higher education.

Despite some universities publicizing revised admissions approaches through websites or media outlets, these disclosures often lack rigorous evaluation which could provide critical strategic insights.[11,12] Given that the share of underrepresented minority (URM) students at flagship universities declined in states affected by affirmative action bans despite these changes, there is a pressing need for further research.[13] Collaboration between institutional administrators and researchers is crucial for learning how to effectively foster diversity and inclusion in higher education.[14]

In the following sections, we outline key strategies and recommendations gleaned from a comprehensive literature review about post-ban admissions policies. We conducted this comprehensive review in multiple stages. First, we divided up research by states according to our team members' level of experience in and/or prior knowledge of each respective state: Arizona, California, Florida, Georgia, Idaho, Michigan, Nebraska, New Hampshire, Oklahoma, Texas, and Washington. Second, we identified literature that addressed both alternative admissions policies, as well as the experiences of students following the affirmative action bans. Third, we conducted multiple rounds of memos on findings from the literature, collaboratively reviewing each others' memos and identifying common themes.

Strategies for Diversity Post-Affirmative Action: There Are No Singular Solutions

Our review of post-affirmative action admissions and outcomes reveals there is no one-size-fits-all substitute for race-conscious

admissions. In states where affirmative action ended prior to 2023, institutions and statewide systems have implemented several strategies to recruit, admit, and enroll historically marginalized students of color.

These strategies have not generated the racial diversity produced by affirmative action. However, some have been more effective than others, suggesting universities must continue building on a range of popular strategies universities have utilized, and must experiment with bold and innovative approaches to advance equity in access to higher education.

Percent Plans

One innovative approach to advancing equity in the face of an affirmative action ban in Texas in the late 1990s was the introduction of the Texas Top 10% Plan. Many states—including California and Florida—have adopted percent plans, also known as guaranteed admissions programs. Originally spearheaded by Irma Rangel, the first Mexican American women elected to the Texas House of Representatives, Texas' guaranteed admission program allowed students graduating in the top 10% of their high school class at every public high school across the state to choose the public institution to which they would be admitted.[15]

It was designed to capitalize on Texas's highly segregated K-12 public school system, but many changes to the policy since its inception have limited its ability to reach the most marginalized students. For example, in 2009, state lawmakers modified the plan to cap the number of automatically admitted students at the University of Texas at Austin (UT-Austin), the system's most selective campus, at 75% of the incoming class and introduced a

minimum SAT score requirement. In 2022, UT-Austin also limited the plan to the top six percent of students in a graduating class.[16,17]

While the percent plan in Texas originally intended to counteract negative effects of losing affirmative action, the state has experienced mixed results. The percent plan diversified the pool of high schools in the state which sent students to selective flagship schools. However, it failed to recover the racial and ethnic diversity that was lost after the affirmative action ban.[18,19]

The University of California (UC) also introduced a percent plan with its Eligibility in the Local Context (ELC) program, which guaranteed admission to a UC campus to students in the top four percent of their high school class or the top 12.5% statewide who completed A-G requirements, if they submitted application materials.[20] The ELC program increased access for rural students but did little for historically underrepresented minority students—it failed to account for the effects of within-school segregation, which may limit students' ability to access advanced courses.[21]

Although many of these plans may have generated socioeconomic and/or geographic diversity, they are less effective on their own at achieving racial diversity compared to affirmative action. Finally, the logic of the percent plan relies on a state's continued racial and ethnic segregation between high schools. Thus, percent plans as a singular solution fall short of promoting educational equity.

Holistic Review

The idea of holistically reviewing candidates—that is, evaluating candidates for college admission based on a comprehensive set

of factors, rather than focusing solely on one metric such as test scores—is not new. This admissions strategy was developed in the early 20th century, not as a way of promoting diversity in college admissions, but to curb the increasing diversity in enrollment at Ivy League schools. By using subjective measures and asking more questions about a student's family background, these schools were able to more pointedly control the demographic makeup of their student bodies.[22,23]

Similar strategies of holistic review have remained, but since the 1960s, they have been utilized instead to promote diversity efforts by looking beyond test scores at student candidates. A 2019 National Association for College Admission Counseling report illustrates the strength of holistic measures in college admissions, with schools (especially private schools) rating essays, demonstrated interest, teacher recommendations, and extracurriculars as

important factors in college admissions.[24]

In California, many institutions adopted a holistic review method of application evaluation in response to the affirmative action ban, which broadly facilitates the consideration of all pieces of a student's application within the context of their available opportunities.[25] Holistic review is limited without the use of race, however, and a greater emphasis on SES may not benefit Black, Latinx, and Native American applicants as anticipated.[26,27]

Contreras (2005) suggests holistic review may facilitate an upwardly moving target of what constitutes merit, potentially diminishing equity.[28] On the other hand, holistic review may increase URM students' likelihood of admission and enrollment relative to non-URM students. Holistic review has largely helped to mitigate losses due to the ban on affirmative action at the UC, though it has not fully restored previous levels of racial diversity on its own.[29]

The University of Michigan utilized technological resources to support their admissions evaluation work. Using the College Board's Descriptor Plus tool (now replaced by their new tool, Landscape), admissions staff were able to account for individual applicants' socioeconomic and background characteristics to assess individuals' records of achievement within their specific contexts of opportunity. Using this software, the university did not take into account race, while still working toward the diversity the university sought to enrich the campus learning environment. Foley (2019) described this as an example of "resistant compliance," which is an approach to comply with the law while actively investing in efforts to continue advancing equity and diversity. According to Foley, "for a slim number

Key Strategic Takeaways

- In states where affirmative action ended prior to 2023, institutions and statewide systems have attempted alternative strategies: percent plans, holistic review, targeted outreach, dual credit, and transfer pipelines.

- These strategies have not generated the racial diversity produced by affirmative action. However, some have been more effective than others, suggesting universities can combine and/or continue building on these.

of applicants, their Descriptor Plus designation was the decisive factor in being accepted to the University of Michigan" (p. 17).[30]

Outreach

Many institutions have also implemented outreach programs to connect with surrounding communities and facilitate students' enrollment in higher education. In Texas, where the Top 10% Plan was implemented, UT-Austin and TAMU developed respective outreach programs which conduct targeted recruitment and retention efforts to eligible low-income students at select high schools. Together, the UT-Austin's [Longhorn Opportunity Scholarship](#) and TAMU's [Century Scholars Program](#) was implemented in 110 high schools in Texas, and have increased long-run earnings outcomes for the beneficiaries of the programs.[31] These programs are very successful in increasing the likelihood for a school to send a student to the respective university.[32] Still, the program in its current form has not been sufficient to restore the diversity lost since the affirmative action ban in 1996.

The University of Michigan also introduced a number of outreach programs including the [Wolverine Pathways](#) program, a college preparation and guidance program for seventh through twelfth graders in Detroit, though limited research exists evaluating the effectiveness of the program. Florida and Michigan both increased scholarships for low-income students but found white students to be overrepresented among scholarship recipients.[33,34]

In California, Mohr and Lee (2000) described outreach programs as a progressive maneuver attempting to tackle the big-picture social issues that produce the very inequalities affirmative action originally sought to address. However, they found that institutions may shift responsibility away from themselves by repositioning inequities within the K-12 system, when there are barriers found across the K-20 ecosystem calling for remedies.[35]

Dual Credit and Transfer Pipelines

Finally, dual credit and transfer pipeline programs have grown significantly across the country, including in states with pre-*SFFA* affirmative action bans.

Boland (2017) notes several examples of Texas two-year colleges that implemented programs to better reach and serve targeted communities.[36] El Paso Community College created early college/high-school programs to help students earn both a high school and associates degree in four years. In 2018 it was recognized for having 75% of its students complete associate degrees, compared to the then-state average of less than 30%.[37] Paul Quinn College, a Historically Black College, increased retention by giving all students on-campus jobs to offset tuition. Since 2019, the school's six-year graduation rates have nearly doubled from 20% to 38%.[38]

Angelo State University and Southwest Texas Junior College—both Hispanic-Serving Institutions (HSIs)—initiated an engineering pipeline program to enable Southwest Texas students to transfer into Angelo State after completing an associate degree aligned with Angelo State's Bachelor of Science in civil engineering. Reports suggest that, after a first recruitment class of around 50 students, the program grew to include 130 students and seven full-time faculty within two years.[39,40]

However, other research shows some of the shortcomings of these programs. One report found that Texas' dual credit programs experienced disparities in participation, with Black, Latino, and low-income students having lower enrollment and success rates.[41] Another empirical study found that, while dual credit policies did positively impact average college enrollment and completion, these effects were smaller for low-income students and students of color. This suggests that existing dual credit policies may not fully address existing educational inequalities, and additional support is necessary for the most marginalized students.[42]

Overall, institutions in states with affirmative action bans prior to 2023 have implemented many strategies to increase racial and ethnic diversity without directly considering race. Ultimately, these strategies, while somewhat successful, have fallen short of fully addressing and recuperating the losses caused by affirmative action bans.[43,44] We do not claim the strategies attempted thus far are without merit or should be completely abandoned. Instead, without a one-size-fits-all alternative to affirmative action, we call on institutions of higher education to be bold and creative in combining and/or generating new ideas to advance equity in access to higher education.

Recommendations for Institutional Leaders

Inclusive Recruitment Strategies and Equity-Oriented Admissions Practices

There remains a moral obligation for colleges and universities that benefit from public resources to serve a diverse society. Without the use of race in admission decisions, institutions should consider alternative approaches to diversifying their applicant pool and student body, including considering a student's socioeconomic status and expanding outreach to purposefully target schools and districts that serve historically marginalized students.

Institutions can more strongly consider socioeconomic status (SES) in the decision-making process in order to economically diversify the student body. When California banned affirmative action, the UC system adopted a holistic review process that emphasized SES.[45] This approach, while unable to create the same level of impact as affirmative action policies, has increased URM students' likelihood of admission and enrollment relative to non-URM students and has helped to mitigate losses due to the state's ban.[46]

Bastedo and Bowman (2017) found that providing admissions officers with detailed information on high school contexts could increase the likelihood of admitting low-SES applicants by 26–28%.[47] Although evidence on the utility of considering SES in the admission process is mixed, it is one strategy among many to account for the effects of structural inequities that disrupt students' access to educational opportunities and resources relevant to college-going.

Institutions should also expand outreach to more purposefully target schools and districts that serve historically marginalized groups. The UC system, for example, began focusing on class rather than race, and shifted from individual outreach to outreach through other organizational entities, such as through campus partnerships with local schools. The

goal of the partnerships was to increase the likelihood of students being eligible and applying for UC admission.[48]

In Texas, Michigan, and Florida, universities implemented outreach and scholarship programs with mixed outcomes. As we have emphasized, it is the combination of strategies aimed at creating more equitable access to higher education that has the greatest potential for impact. Expanding outreach efforts and connecting directly with students in underserved communities is one way to develop university-community partnerships and increase access to higher education.

States and institutions should consider guaranteed admission plans, alongside building relationships and enrollment pathways with historically underrepresented schools, districts, and two-year community colleges.

States and institutions can build pathways and partnerships with high schools and two-year institutions that better serve historically underrepresented students. Although talent is found everywhere, opportunities are not. This calls for more transparent pathways to college from all communities.

A race-neutral alternative for increasing diversity can include guaranteed admissions programs alongside targeted outreach to schools, districts, and two-year colleges that have historically been underrepresented in institutions' enrollment numbers. Yet a notable shortcoming of both percentage plans and expanded outreach programs is that they still require students to take up the burden of submitting an application, creating barriers for students that may lack knowledge of these plans in the first place.

Minnesota, while not one of our focal states, presents an example of a substantially built-out, statewide direct admissions program ([Minnesota Office of Higher Education Direct Admissions](#)) that dramatically lowers barriers to college applications. A recent report by Salasek et al. (2024) details the program's implementation and preliminary outcomes. Minnesota high schools share data and collaborate with participating colleges—including two-year colleges, state universities, private colleges/universities, Tribal colleges/universities, and the University of Minnesota—to identify students that are academically eligible for admissions.[49] Colleges then directly contact and engage eligible students, waive application fees, and follow-up to ensure completion of students' applications.

Direct admissions programs are a promising "race-neutral" approach toward closing equity gaps.[50] Still, direct admissions programs still have drawbacks for student applicants. First, direct admissions are often based on quantitative criteria, such as GPA or standardized test scores, which may disadvan-

tage students with strengths other than their ability to test well and who would benefit from holistic admissions. Secondly, direct admissions may be implemented without a guarantee of financial aid, thus placing a financial burden on students from low-income backgrounds. To mitigate these challenges, direct admissions programs should be coupled with comprehensive support systems.

Retention Strategies and Supportive Campus Climates

Institutions must provide stronger support to URM students through student organizations and affinity groups. Listening and responding to students' needs is most critical.

Research on states that banned affirmative action shows that it had served as a welcoming signal to URM students.[51] After the bans, URM applications declined, with students opting for private colleges or colleges in other states altogether.[52,53]

A recent study of nationally representative data confirms that bans on affirmative action reduce applications from Black and Latinx students while increasing applications from white and Asian-American students, particularly those with higher SAT scores.[54] The authors argue that bans send a message to non-beneficiary groups that their chances of admission are enhanced, widening racial disparities in selective college admissions.

University administrators, like those at the University of Michigan, have also noted the negative impact both internally and externally on losing this "symbolic beacon."[55] These commitments to diversity are important to students, and universities must continue to make them known to the public and their communities.[56]

Therefore, institutional commitments to diversity and inclusion must reflect genuine efforts to improve the experiences of current and future students. These efforts should include strengthening affinity organizations for students of color, as these groups foster belonging, identity development, and URM student retention.[57,58] Faculty and staff diversity is also vital for providing diverse mentors and role models for URM students.[59,60] Hiring practices that prioritize these aims can help to support URM student retention and success.

Many of these support mechanisms have demonstrated positive impacts on student success. Georgia State University has claimed to have increased graduation rates by 23% through the school's financial commitment to cultural centers that focus on student belonging alongside analytics-informed advising. In addition to building multicultural centers, the school has developed offices aimed at Black and Latinx student achievement and initiatives aimed specifically at supporting Black male students.[61,62]

Discussions of campus support for URM students and an institution's admissions strategies and policies are intrinsically connected. Institutional commitments to diversity, especially through support for URM student organizations, influence admissions yield and campus perception.[63] Enrolled students are keenly aware of this dynamic; for instance, the #BBUM (Being Black at University of Michigan) campaign advocated for seven demands, including both increased funding for the Black Students' Union as well as higher Black enrollment on campus.[64]

True higher education equity must be

cultivated through genuine support for students, nurturing a sense of belonging and care for those who do not feel welcome or adequately supported on campus.

Institutions should adapt retention models from states that have previously lost affirmative action, addressing their limitations and building on their strengths.

Texas and Georgia offer notable models for recruitment and retention strategies post-ban. In Texas, UT-Austin and TAMU implemented targeted recruitment programs for low income students. UT-Austin's Longhorn Scholars program specifically earmarked scholarships for students in the top 10% at high schools in designated low-income areas, which tend to be predominantly Black or Latinx. UT-Austin paired scholarships with housing, tutoring, and mentorship, achieving an increase in low-income students' enrollment by 71%.[65]

TAMU's Century Scholars Program targeted students from schools across Texas with large Black and Latinx populations. Notably, TAMU did not earmark scholarships for low-income students, but did pair its program with retention programs for students. These examples highlight the need for retention models that are multifaceted and targeted. Institutions should adapt these strategies in ways that fit their unique contexts and goals.

As mentioned above, Georgia State University has successfully increased graduation rates by 23% since 2003, eliminating race-based achievement gaps, meeting both moral and fiscal imperatives.[66] Their student retention and degree completion model is grounded in multiple complementary student success programs, including designated offices for student achievement, analytics-based tracking, and adoption of active learning strategies in their academic programs.[67]

Further Recommendations

Institutions should attend to recruitment/retention at both the undergraduate and graduate level, although the former receives more media attention.

When discussing the end of race-conscious admissions, attention most often turns to effects on undergraduate enrollment, retention, and graduation. Indeed, research shows that following statewide bans on affirmative action, enrollment of URM students consistently decreases, even in states with smaller higher education systems like New Hampshire and Oklahoma.[68,69,70]

However, graduate schools, which are responsible for training skilled professionals that serve diverse communities, also experience significant declines in racial diversity in the wake of race-conscious admissions bans. For example, medical schools in six states with statewide bans experienced an average 17% decline in minority enrollments amongst first-year medical students.[71] More recently, Ly et al. (2022) compared public medical school enrollments in states with and without affirmative action bans, finding an average difference of -5.5%.[72]

The loss of affirmative action will have far-reaching consequences across both different levels of university programming, as well as different stages of student support from recruitment to completion. As institutions prepare to pursue alternative strategies in their efforts to build an equitable higher education

system, they should be attentive to differences in recruitment, enrollment, and completion needs, including how these needs may vary across undergraduate and graduate levels of education.

Recommendations for Policymakers

Invest in More Data Infrastructure

Policymakers can and should invest in new higher education data systems, such as disaggregating racial/ethnic subgroups and building system-wide infrastructure to track equity gaps, especially at flagship institutions.

Research points to the need to disaggregate data by racial and ethnic groups, especially within large umbrella categories like Hispanic and Asian-American Pacific Islander (AAPI). For example, prior to 2010, AAPI students had very few ethnicity options on the UC application, leading many to select "Other Asian" and feel invisible even before stepping onto campus. Underrepresentation and invisibility are inextricably connected on campus and serve to reinforce students' feelings of isolation and anonymity.[73]

Even at UC Los Angeles (UCLA), where AAPI students comprise the largest racial group, one study found that many AAPI students struggle to find belonging when they identify as part of an ethnic minority group within the larger racial category.[74] The authors argue that "although AAPIs make up the largest racial group at UCLA, the singular conclusion of universal satisfaction based on compositional representation is a gross

misperception" (p. 496). Disaggregating data provides institutions and higher education systems with a more detailed picture of who attends their institutions and may help call attention to and better address the unique needs and challenges of particular student groups.

In addition to disaggregating data, states should build system-wide data infrastructure to track equity gaps, especially at flagship institutions. California's State University (CSU) system recently adopted far-reaching and comprehensive strategies to address equity gaps experienced by URM students, even within a policy environment that bans affirmative action.[75]

The CSU Graduation Initiative 2025 outlines a number of overarching goals aimed at ensuring equitable access to educational opportunities and eliminating barriers to participation, including establishing retention targets, identifying equity gaps in credit accumulation, and internally identifying courses with high proportions of low letter grades or withdrawals, especially when tied to racial equity gaps. Plans to track students' course outcomes have high potential for improving URM students' outcomes by explicitly tracking and addressing equity gaps at the course-level in order to ensure individual classes and majors are not racially discriminatory.

Both the CSU system and Georgia State University demonstrate how state systems and institutions can create comprehensive data systems that inform strategic efforts to advance student outcomes by identifying and addressing racial and ethnic gaps in opportunity and success.

States should commission the design of data dashboards to regularly and longitudinally

assess higher education opportunity, by geography, income bracket, race, and gender, to illuminate areas for systemic improvements.

User-friendly public data dashboards are common for states. Each should be designed to provide context-specific assessments of higher education opportunity, advancement, and completion across the state.

A critical analysis of Oklahoma's [amicus brief](#) in support of SFFA demonstrates the importance of context specificity in descriptive data summaries. The Oklahoma brief authors argued that minority student enrollments had remained constant, and in some cases expanded, following the loss of affirmative action in Oklahoma.[76] The authors, however, did not control for changes in state-level demographics. In other words, it is quite possible that raw numbers of minority student enrollments did increase in Oklahoma, while minority students nevertheless remained underrepresented relative to the general population.

With rapidly diversifying public school enrollments, it would be expected that college enrollment numbers would also increase, but

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Quick Takeaways for Policymakers

- Invest in data systems that disaggregate subgroups, track equity gaps, and longitudinally assess higher education opportunity.

- Shift resources away from R1s—which dominate policy attention—towards Minority-Serving Institutions.

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not at a pace possible with affirmative action.[77,78] Raw numbers of minority student enrollments and completions may, at face value, appear unchanged or even improved following the loss of affirmative action, yet inequities in access to higher education may persist. Policymakers and school leaders should therefore account for overall changes in state and local demographics in order to glean a more accurate understanding of enrollment disparities.

Data dashboards could be designed to track opportunity across a state, by geography (by electoral districts, school districts, etc.), income bracket, gender, and race, relative to the overall population. They could also be designed to assess how well state institutions are contributing toward the education of a state population.

Increase Resources for Institutions Serving Predominantly Students of Color

States should shift more resources away from R1s and towards two-year and four-year regional public institutions, especially Minority-Serving Institutions (MSIs), which typically serve higher proportions of low-income students across racial demographics.

State governments should consider adopting equity-based funding models for postsecondary education, toward adequately funding public institutions that enroll and support the diversity of students across a state. Much like in K-12 schools, there are funding inequities found across higher education. Researchers at the SSTAR Lab have suggested that state appropriations for public higher education may do well to draw lessons from K-12 finance to more equitably allocate public funding across

postsecondary institutions.[79]

Policymakers often overemphasize the importance of the development and funding of research universities within the broader state higher education system, while higher education finance policies tend to ignore issues of affordability and access at both two-year and four-year institutions. Although many R1 flagship universities enroll a diversity of low-income and first-generation students, regional public universities and community colleges serve the lion's share of these students who face substantial barriers to completion. Supporting these students' success requires more resources. In K-12 and higher education, research has found that financing shapes the availability of opportunities, access, and degree completion rates.[80]

In the Carnegie Classification system, R1s are designated as universities with the highest levels of research activity. They often receive outsized attention from college applicants and state policymakers even though their intuitional missions and practices do not center teaching, learning, and holistic student development. As such, they educate small proportions of all postsecondary students.

Most students, and especially students of color, attend community colleges and regional public universities, many of which are federally designated Minority-Serving Institutions (MSIs).[81,82] Given the outsized responsibility MSIs have to educate historically marginalized students compared to R1 institutions, policymakers should therefore attend to the development and needs of the range of institutional types across the higher education sector—including MSIs, two-year colleges, and regional public institutions—to strengthen postsecondary education systems.

Conclusion

For this brief, we reviewed existing literature on the strategies used by states that banned (or did not practice) race-conscious admissions prior to the 2023 *SFFA* ruling. We found that these states—California, Texas, Washington, Florida, Georgia, Michigan, Nebraska, Arizona, New Hampshire, Oklahoma, and Idaho—employed diverse strategies to maintain the ethnoracial, socioeconomic, and/or geographic diversity of their college campuses.

On their own, none of the strategies produced the level of diversity that race-conscious admissions achieved. Some strategies were more successful than others. Past efforts in these states offer a basis from which to learn, design, and build new approaches for equity and diversity. The existing body of research itself is uneven in both focus (i.e., overemphasis on flagship schools) and quantity (i.e., small number of robust studies). Thus, we call on both institutions and educational researchers to collaborate to develop a more robust body of research for evidence-based policies and practices.

Other recommendations for institutional leaders include (1) application review processes that consider a range of socioeconomic and academic variables, (2) enhancing guaranteed admissions programs, and (3) strengthening co-designed partnerships for pathways between universities and historically underrepresented schools and community colleges. However, building diverse classes is only one part of the equation to graduating more marginalized students. Institutional leaders must critically examine and transform their organizations to more effectively support student experiences toward degree completion.

Investing in student organizations and affinity groups, hiring racially and ethnically diverse staff and faculty (e.g., institutional transformation strategies toward HSI status), and engaging culturally relevant pedagogy and curriculum are some approaches to improve campus climates for learning (Garcia, 2023). All of this work should focus on both undergraduate and graduate/professional school students.

For policymakers, we highlight two major recommendations: (1) invest in improved higher education data systems (e.g., disaggregation, infrastructure to track equity gaps) and incorporate demographic changes in their states when measuring college enrollment/outcomes among ethnoracial groups so that these rates are not inflated; (2) provide equitable and adequate funding to the diversity of colleges and universities, including MSIs, within the broad higher education ecosystem, to improve the access and degree completion pathways for all students.

To build racially diverse campuses and to make higher education accessible to all students in a post-*SFFA* landscape, institutional leaders and policymakers must embrace creative solutions/practices, develop expansive understandings of the factors that impact college-going for racially marginalized students, and provide sustained support for this group of students once they arrive on campus. The Supreme Court ruling ended the consideration of race in admissions decisions—one important tool for equity and diversity in higher education—but there remain many possibilities for creative leadership for equity. We urge institutional leaders and policymakers to boldly press on and fulfill their mandate of equitable and accessible higher education.

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