



LAWYERS' COMMITTEE FOR
CIVIL RIGHTS
U N D E R L A W



Foundational Values for Higher Education

America's colleges and universities are critical to the strength of our economy, civil society, and democracy. These institutions drive innovation, design solutions to pressing problems, and help us deepen our understanding of our past and present so we can build a better future. They train the next generation of health care providers, teachers, social workers, and civil servants. They are gateways to opportunity, putting students on the path to success in their careers and helping countless people build a better life for their families. They also allow for the exchange of ideas to prepare students for civic participation, creative problem solving, and innovation. For America to thrive, colleges and universities must welcome talented students and staff of all backgrounds; protect students' freedom to learn and faculty's freedom to teach; preserve the right to debate and protest; retain their autonomy and independence; ensure the rights of all members of the school community are protected; and create an environment where all students and staff can succeed.

We urge colleges and universities to commit to upholding and defending the below foundational values and principles:

- Value students, faculty, and staff based on the talents and experiences they bring to campus. Colleges and universities are more than classrooms; they are communities. Building thriving communities requires valuing applicants and students as full people. Colleges and universities should make clear to college applicants that they can describe their background and identity without censorship. This ensures applicants can more fully explain the context of their experiences, giving reviewers a more accurate picture of their qualifications for admission and the contributions each would make to the campus. In *Students for Fair Admissions v. Harvard*, a decision specifically focused on college and university admissions, the U.S. Supreme Court emphasized that nothing in its opinion "should be construed as prohibiting universities from considering an applicant's discussion of how race affected his or her life, be it through discrimination, inspiration, or otherwise," as long as institutions focus on the applicant's experiences. Faculty and staff can and should also be assessed based on their research and skill at teaching and mentoring students of all backgrounds.
- Establish admissions criteria that do not perpetuate inequality. Talented students should not be unfairly barred from admission by criteria unrelated to their ability to contribute to their schools. Colleges and universities should audit their admissions criteria to identify factors that may unfairly advantage or exclude students. For example, data shows that the use of legacy or donor preferences disproportionately excludes Black students and other students of color at many schools, as well as low-income students of all races and backgrounds.
- Increase access to opportunity for all students, faculty, and staff. Talent is everywhere. Colleges and universities should broadly recruit students, faculty, and staff to encourage

all qualified individuals to apply. Institutions should also pursue targeted outreach and recruitment and develop pathway programs that enable schools to connect with a broad range of prospective students, including those who might otherwise not learn about these institutions or envision themselves as potential candidates for admission despite their qualifications. In accordance with civil rights laws, these institutions should also develop leadership and pipeline programs that expose students of all backgrounds to different career paths so students with talent and merit can pursue professions that align with their passions and interests.

- Address barriers based on financial need so talented students can apply, attend, and complete school, as well as pursue their chosen careers. Application fees discourage many talented students from applying to colleges and universities as widely as they otherwise would. Fee waivers are often only available when students know in advance to advocate for them and are willing to disclose their low-income status. Additionally, excessive student loan debt heavily burdens too many students after they leave school, limiting their ability to build wealth or pursue their preferred careers, particularly in public service. These harms disproportionately burden Black and Latino borrowers, and particularly women, and limit economic growth for the nation as a whole. Colleges and universities should consider eliminating admissions fees, admit students regardless of their need for financial aid, invest in affordability measures, and work closely with students to ensure they are not burdened with debt after graduation.
- Provide students, faculty, and staff with the resources needed to thrive on campus. Students, faculty, and staff deserve to learn and work in welcoming and accessible environments where everyone can succeed. Institutions should develop strategies to help meet the needs of underserved communities while remaining open to all. Some examples include affinity groups, mentorship programs, and tutoring initiatives. Institutions should also ensure students, faculty, and staff can access school facilities, activities, resources, and programs consistent with their gender identity. Finally, schools should ensure students and staff with disabilities receive the reasonable accommodations and support they need to fully participate in campus life.
- Prevent and respond effectively to discrimination and harassment. Colleges and universities should train employees about civil rights laws and protections so they know how to prevent and appropriately address discrimination and harassment against students, faculty, and staff. They should also advise students, faculty, and staff of their rights under such laws, including how to raise complaints internally within their educational institutions and the process through final disposition of the complaint.
- Address inequities in faculty and staff pay. Colleges and universities should take steps to prevent pay discrimination and address the persistent gender and racial wage gap in higher education, including addressing the impact of contingent faculty positions (such as adjuncts, lecturers, and other non-tenure track positions) on pay equity. Positions that require similar work, responsibilities, and qualifications should be comparably compensated. Institutions should conduct regular pay equity audits, which can help them identify and correct pay disparities and inform efforts to prevent future inequities.

Institutions should also adopt pay transparency practices, including providing job applicants and employees with information about compensation for open positions.

- Protect members of the campus community from unlawful government action. College campuses should be safe for all students. Institutions should safeguard students and faculty, including international students and faculty, from being targeted, harmed, or harassed because of their identities, speech, or other lawful activities on campus by limiting the role of law enforcement on campus and protecting student and faculty data. They should also protect all members of the campus community from abusive or violent actions by law enforcement and ensure the campus community is aware of their legal rights.
- Embrace academic freedom and discourse, teach about diverse communities and cultures, and protect the rights of students and faculty to peacefully protest and to speak on political and societal issues. Colleges and universities drive innovation and discourse by exposing students to new ideas and deepening their understanding of the world and helping them prepare for the future. Debates on campus help students think critically and prepare to be active participants in our democracy. Moreover, universities and their faculty, staff, and students enjoy First Amendment rights, including the rights to free speech and association and academic freedom, which is of special concern. While free speech is not limitless, the First Amendment protects the right to disagree strenuously and sharply. Colleges and universities should not censor what faculty can research and teach or limit what students can learn simply because of their viewpoints. These institutions should preserve debate on campus, including protecting the right to peacefully protest and to raise concerns about the school's own policies and practices.

We urge you to pledge your support for these foundational values and principles as part of your compact with your institution's students, faculty, and staff.

Additional Endorsing Organizations

Advocates for Trans Equality (A4TE)

AFSCME

AFT: Education, Healthcare, Public Services

Alliance for Higher Education

American Association of University Women (AAUW)

American Atheists

American Humanist Association

Arab American Institute (AAI)

Asian American Advocacy Fund

Asian Americans Advancing Justice- AAJC

CenterLink

Class Action

Clearinghouse on Women's Issues

Coalition on Human Needs

ED-OCR Alumni Collective

EdTrust

Empowering Pacific Islander Communities (EPIC)
End Rape On Campus
Equal Rights Advocates
Equality California
Feminist Majority Foundation
GLBTQ Legal Advocates & Defenders (GLAD Law)
Historians for Peace and Democracy
Human Rights Campaign
Institute for Sustainable Diversity & Inclusion
Jewish Council for Public Affairs
Just Solutions
Know Your IX at Advocates for Youth
Ladder Consulting
LatinoJustice
League of United Latin American Citizens (LULAC)
Legal Momentum, The Women's Legal Defense and Education Fund
Maine Women's Lobby
Minority Business Enterprise Legal Defense and Education Fund (MBELDEF)
Mississippi Workers Center for Human Rights
NAACP
National Center for Science and Civic Engagement
National Council of Asian Pacific Americans
National Council of Jewish Women
National Education Association
National Organization for Women
National Partnership for Women & Families
National Women's Political Caucus
National Women's Studies Association
National Black Justice Collective (NBJC)
North Star Consulting Network, LLC
PFLAG National
Public Advocates Inc.
Public Counsel
Robert and Ethel Kennedy Human Rights Center
Sexual Violence Prevention Association (SVPA)
Silver State Equality
Sisters Lead Sisters Vote
Southeast Asia Resource Action Center (SEARAC)
Stop Sexual Assault in Schools
The African American Policy Forum
The Center for Law and Social Policy (CLASP)
The Every Voice Coalition
The Institute for College Access & Success (TICAS)
The LEAD Fund
The Leadership Conference on Civil and Human Rights
Women Employed
Working IDEAL