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Written Statement by the Southern Poverty Law Center

Submitted to the U.S. House Committee on Education and the
Workforce, Subcommittee on Higher Education and Workforce
Development

In connection with its March 7, 2024, hearing entitled:



segregation and discrimination.¹ As a result, the courts and the executive branch incorporated the concepts of affirmative actions to remedy violations of civil rights laws and establish positive policies of nondiscrimination to overcome obstacles to equal opportunities.²

Those policies were implemented and enforced for decades in higher education admission policy, employment, business enterprises, and other sectors as specific interventions created as part of anti-discrimination efforts designed to expand opportunities, address and remedy both historic and persistent inequities, and prevent future discrimination.³ Additionally, those policies evolved to include policies, programs, and services designed to increase Diversity, Equity, Inclusion, and Accessibility to help overcome patterns of discrimination and eliminate disparities in opportunities.⁴

While the country has taken significant strides to address historic and persistent inequities and increase educational opportunity, through legal and policy victories, that progress has always been and continues to be threatened. For more than a decade, there has been a concerted effort by the extreme right, led by people like Edward Blum and Stephen Miller, to eliminate anti-discrimination policies and programs in both the private and public sectors through the federal courts and state legislatures throughout this country, and particularly in the South. The recent Supreme Court ruling ending Affirmative Action in higher education, the onslaught of anti-DEIA legislation across the deep South, and the wave of cases challenging programs and services that support minority-owned businesses are the most recent examples of their attempts to rewrite history by erasing the existence of historic and present discrimination, eliminate legal protections, policies and programs designed to root out and provide redress for racial and all other forms of discrimination that Black, Brown, and other people of color experience throughout their daily lives.

The Continued Need to Address Discrimination in Higher Education and



stable housing and communities, and more educational opportunities. But people of color are more likely to attend systemically underfunded schools, face school closures, and be historically excluded from institutions of higher education.⁵ A recent study found that one in five Black students experience discrimination on college and university campuses, and Black students attending the least racially diverse schools and programs are even more likely to suffer discrimination.⁶ T

number of discrimination complaints in Fiscal year 2022, most of which alleged discrimination based on race, sex, or disability.⁷ Research shows that all students benefit from interactions with classmates from diverse backgrounds and cultures.⁸ DEIA offices play a critical role in helping colleges and universities comply with civil rights laws and ensure students have recourse when they face discrimination or hostile environments.⁹ These programs can help improve student life, success, and retention for historically underrepresented and underserved students.

During the hearing, some of the attacks on DEIA efforts in higher education institutions inaccurately and offensively suggested that students from diverse backgrounds are not satisfying false and racist viewpoint suggests that students from underrepresented communities cannot satisfy the school's academic demands and has been used to block



ensure students from all backgrounds have resources and support to succeed and thrive on campus. A 2023 study found that 75% of college students are supportive of DEI on college campuses and a majority support critical discussions about race, gender, and sexuality.¹²

DEIA programs and offices are also crucial to the workforce – they enhance employee experiences, strengthen organizational health, lead to more thoughtful decision-making and outcomes, and break down barriers that exclude qualified employees.¹³ In many sectors, improving DEIA has notable benefits. This is especially true in the medical field, where health equity and disparities are significant for communities of color, and a diverse and representative workforce leads to better patient care and their health outcomes.¹⁴

Attacks on DEIA and Honest History in the Deep South

Across the country, we are seeing radical and sweeping attacks on our education system, including banning discussions of systemic racism, LGBTQ+ issues, Black history, and DEIA initiatives.¹⁵ Public schools are becoming the political battleground between those who support teaching honest, accurate history and inclusivity and those wishing to erase and rewrite our

and unnecessary actions to end DEIA programs and closed supportive programs for Black and Brown students in response to the narrowly limited SCOTUS decision on race-conscious admissions in higher education.

In Florida, the legislature has passed laws that force universities from spending money on DEIA programs.¹⁶ Despite significant protests by students and faculty, the University of Florida recently terminated all positions associated with DEIA in response to the new legislation.¹⁷ The vagueness of this law has created a climate of fear and anxiety and fear among students.

¹² Bryant, J. (2023, March 27). *Only 1 in 4 Students Support Legislative Efforts to Limit DEI on College Campuses.* Best Colleges. [https://www.bestcolleges.com/news/2023/3/27/only-1-in-4-students-support-legislative-efforts-to-limit-dei-on-college-campuses/](#)



needs of an increasingly diverse campus.¹⁸ Additionally, last year, Florida legislators also passed to discuss diversity, equity, and inclusion in trainings and seminars; the 11th Circuit court just found part of the law infringes on the free speech rights of employers.¹⁹ The Florida Department of Education also rejected the College Board Advanced Placement Course for African American History and decided to make changes to the curriculum to erase, misinterpret, and misrepresent the ugly history of slavery to the detriment of Black students.

In Alabama, the legislature just passed a bill that prohibits local education boards, institutions of higher learning, and state agencies from promoting or engaging in diversity, equity, and inclusion programs and activities.²⁰ Despite hundreds of college students rallying to oppose the bill and highlighting the importance and impact of these programs and activities on their experiences on campus and their



DEIA programs in higher education serve a crucial role in supporting underrepresented students and ensuring these students are free from haras