
Recent Policy Developments Affecting Diversity in Postsecondary Education Programs: A Review of Activities in Selected States

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This summary is based on a table from *Diversity in Higher Education: An Action Agenda for the States*, by Esther M. Rodriguez, June 1999, a joint publication of SHEEO and the College Board. Information was collected in late 1998 as state higher education leaders addressed the following questions:

1. Have recent institutional board policies, voter referenda, court rulings, and suits on affirmative action affected the state climate of support for minority student access and achievement? ("**State Climate**")
2. What actions by SHEEO agencies have been initiated or are contemplated in the face of these challenges to affirmative action? ("**Actions by SHEEO Agencies**")

Arizona Board of Regents

Actions by SHEEO agencies: As the national debate on affirmative action intensified during 1995, the Arizona Board of Regents (ABOR) began an orderly public policy discussion regarding the use of targeted student financial aid at the three public universities.

In September 1995, the Board received written materials and heard a panel presentation that reviewed the legal and policy framework in which activities and initiatives that are broadly characterized as "affirmative action" are undertaken at the universities in the following categories: employment, student admissions, student financial assistance, procurement, and student and academic support services. The Board heard public comments from 19 individuals, including students and faculty from the universities, elected and appointed officials, representatives of various university and community constituencies, and representatives from the private sector. During that dialogue Board members and the university presidents acknowledged the significant progress that has been made in achieving the Board's objectives regarding diversity, and the need to continue and in some cases strengthen the universities' ongoing efforts to achieve diversity. At the same time, there was recognition of the need for continuous review and reevaluation not only of the underlying objectives, but also of the means used to accomplish those objectives.

In November 1995 the university presidents proposed that each university would undertake a comprehensive internal review of programs or activities that fall within the "affirmative action" characterization. Each program will be reviewed for compliance with the ABOR legal and policy framework, and whether the program or activity is consistent

with and still necessary to carry out its original objectives. The self-studies, together with any recommendations for change, were to be reviewed by the Board.

As the decision to conduct the self-studies jelled over a period of time, Board members and the university presidents recognized the imperative that the proposed self-studies be conducted in an environment conducive to open and frank discussion, allowing and stimulating objective analysis of the best ways to pursue diversity on each campus. It was suggested that a reaffirmation of the Board's underlying commitment to diversity would send a positive message that would enable the self-studies to move forward in a constructive way.

The Board reaffirmed its underlying and ongoing commitment to diversity both among the workforce and among the student population.

In August, 1996 the Board reviewed each university's self-study, which demonstrated the university's willingness to apply a critical analysis to its activities and to make changes, where appropriate. The universities moved or are moving in the direction of expanding outreach efforts to include the broadest possible segment of Arizonans. There have not been any other initiatives in the affirmative action area since the August 1996 Board meeting.

California Postsecondary Education Commission

State climate: In June of 1995, the Regents of the University of California passed SP-1, which barred consideration of race, ethnicity, gender, color, or national origin in employment, admission, and contracting decisions. The regents, however, affirmed a commitment to diversity in student enrollment.

In the 1996 general election, the voters of California approved Proposition 209, which barred granting preference to individuals on the basis of race, ethnicity, gender, color, or national origin in public employment, public education, and public contracting.

Shortly after passage of Proposition 209, former governor Pete Wilson issued an executive order for all public agencies (and requested public colleges and universities) to review all policies, programs and practices and, where necessary, modify them to remove any preferential consideration on the basis of race, ethnicity, gender, color, or national origin.

Actions by SHEEO agencies: The California legislature appropriated an additional \$38.5 million for fiscal year 1998-99 to increase university pre-collegiate outreach efforts aimed at increasing the number of students from underrepresented groups. The Legislature also requested public schools and universities to expend another \$31 million for this purpose, and is considering appropriating an additional \$2-4 million to increase information dissemination to middle school students and parents about college and financial aid opportunities and requirements.

In March 1999, the University of California Regents adopted a new path to attaining UC eligibility that recognizes "superior academic performance in the local environment of the individual high school." Dubbed the "four percent" path, this new path would guarantee admission to a University of California campus for all public high school

juniors who have completed 11 of the 15 prescribed courses and rank within the top four percent of their high school class. Admission is contingent on remaining in the top four percent during senior year, completing the remaining prescribed courses, completing an application form, and completing the full battery of admission tests (SAT I or ACT and three SAT II tests), although the scores will be irrelevant to admission. This policy is scheduled to begin with the freshman class entering in fall 2001.

The California State Board of Education adopted a set of academic content standards last year in four disciplines that every public school is expected to teach. The content standards are differential by grade level and reasonably aligned with admission requirements of the selective public universities in California. The State Board is expected to adopt grade-level performance standards in each of these content areas and assessment instruments in the near future. It is hoped that this action will move the state closer to the "level playing field" in education that affirmative action opponents and proponents alike believe is essential to equal opportunity and equity.

The California Postsecondary Education Commission issued a report in December 1998 entitled, *Toward a Greater Understanding of the State's Educational Equity Policies, Programs, and Practices*, in an attempt to clarify myths and realities in California public postsecondary education.

The California State University Board of Trustees has endorsed efforts of Chancellor Charles Reed to strengthen teacher preparation programs in the state to improve the quality of new teachers -- in both academic and pedagogical competency -- to teach a diverse group of elementary and secondary school students in the new academic content areas. The Chancellor also has announced an intention to repackage instructional delivery to better meet the needs and availability of existing teachers for in-service training and skill upgrades.

Connecticut Board of Governors for Higher Education

State climate: No recent activity.

Actions by SHEEO agencies: There have been no organized challenges to affirmative action in Connecticut.

The state's *Strategic Plan to Ensure Racial and Ethnic Diversity in Connecticut Public Higher Education* has been strengthened structurally as well as financially. The annual state appropriations for the *Strategic Plan's* Minority Advancement Program (MAP) has grown incrementally each year from \$1.2 million in 1990 to \$2.8 million for fiscal year 2000. Reflecting the development focus of the *Strategic Plan*, the Connecticut Collegiate Awareness and Preparation (ConnCAP) Program remains the primary initiative of MAP and now supports 14 precollege programs at colleges and universities throughout the state. The former Minority Enrollment and Incentive Program has been restructured as the Connecticut College Access and Success (ConnCAS) Program. Since, in an aggregate sense, the undergraduate enrollment of underrepresented minority students at the state's 17 public colleges and universities has reached parity with their proportion in the state's population, the restructured grant incentive program places a greater emphasis upon student retention which remains problematic for underrepresented minority students. A new programmatic initiative, the Connecticut

College Admission and Bridge (ConnCAB) Program was recently established to assist colleges and universities in transitioning marginally prepared students from high school to college. Students from all racial and ethnic groups are eligible to participate in MAP initiatives that place a special emphasis upon students from low-income backgrounds.

The Minority Staff Development and Recruitment Program has been eliminated as a grant program since, in the aggregate, underrepresented minorities have achieved parity in their employment as professionals on the campuses of the state's public institutions of higher education. However, the Board of Governors for Higher Education maintains oversight of minority employment and advocates for the achievement of parity in all professional employment categories at every campus.

A final sign of the strength of affirmative action in Connecticut is the state legislature decision in 1998 to establish a Minority Teacher Program. This program will be funded for the next biennial at \$500,000 per year to underwrite 50 scholarships for minority students enrolled as juniors and seniors in education majors. The program rules also stipulate that these students, upon graduation, will receive loan reimbursements for up to four years if they teach in Connecticut.

Taken together these actions constitute strong continuing support for affirmative action.

Florida Postsecondary Education Planning Commission

State climate: A petition drive to put the issue of ending racial preferences on the ballot in Florida is currently being led by supporters of California's Proposition 209.

Actions by SHEEO agencies: Florida continues to support a number of initiatives to assure equal opportunity at all levels of postsecondary education. The Postsecondary Education Planning Commission is in the process of updating its publication, *Programs to Enhance the Participation of Minority and Disadvantaged Students in Postsecondary Education*. The document was last published in 1996.

Board of Regents of the University System of Georgia

State climate: In October 1994, the Board of Regents of the University System of Georgia adopted their strategic plan that included the goal to create the broadest possible access to public higher education. Following the *Hopwood* decision in Texas, Georgia Chancellor Stephen Portch asked all 34 institutions to conduct a review of admissions policies. The survey found that only one institution, the University of Georgia, used race in its undergraduate admissions process, and then only in a small percentage of admissions. The Chancellor instructed all institutions to continue their then-current admissions practices.

In July 1997, a lawsuit was filed challenging the System's use of affirmative action in college admissions - specifically at the University of Georgia - and the continued existence of the System's three historically black colleges and universities. In January 1999, the federal judge hearing the suit - *Michael C. Wooden, et. al. v. Board of*

Regents and Dr. Stephen R. Portch - ruled that UGA's racially based, dual-track admissions policy in place in 1995 was unconstitutional. He did not rule on the portion of the suit that deals with UGA's post 1995 admission policy. In March 1999 the judge dismissed that portion of the suit that addressed the historically black colleges on the grounds that the plaintiffs named had no standing to file the suit.

The Board adopted its new "Admissions Policy Direction" in 1996, aimed at ensuring access and diversity in Georgia's public higher education institutions. The policy direction takes the approach that all students, regardless of race, income or geographic location, should receive rigorous educational preparation. Under the Regents' new admissions requirements, all students will be expected to come to a state college or university having fulfilled more rigorous college preparatory curriculum requirements.

Actions by SHEEO agencies: In conjunction with the new admissions requirements, the Board has approved a number of policy directions that contribute to student preparation by addressing the long- and short-term needs of students who have historically been under-prepared for college-level work. These initiatives include:

- ?? Georgia P-16 Initiative – a long-term effort to create seamless educational opportunities for students from pre-school through completion of some form of postsecondary education, regardless of race, economics or geography.
- ?? Postsecondary Readiness Enrichment Program (PREP) – a short-term solution to the need to provide a safety net for students who need supplemental assistance to meet higher standards at the postsecondary level. Specifically, PREP addresses the needs of students who have been historically under-represented in higher education. About 14,000 students from 133 high school and 249 middle schools through the state participate; over 5,000 of these students have participated in two-week summer enrichment programs on college campuses. Additionally, 33,000 middle school students visit a college or technical institute campus each year to learn about admission requirements and to interact with faculty and students.
- ?? Teacher Preparation Initiative – to enhance the preparation of teachers who are able to help students in the schools achieve at high levels.

The Regents also have approved initiatives to strengthen the system's three historically black colleges and universities (HBCU), and, in doing so, position these institutions as important resources and centers of education, service and research for all students, regardless of race. This is being accomplished through the Board's initiative, "The Next Step - Taking Graduate Education to the Next Level." Now in its third year, this program is strengthening selected graduate programs in key fields at the three HBCUs in the state.

Board of Regents of the University of Hawaii

State climate: The U.S. Supreme Court has agreed to review and decide the *Rice v. Cayetano* case in the year 2000. In this case, public election for the Office of Hawaiian Affairs is limited to Native Hawaiians. The Court will decide if this restriction discriminates based on race/ethnicity or if it supports a non-discriminatory political status of Native Hawaiians due to their special relationship to the state and federal government. The State of Hawaii supports the special status of Native Hawaiians. The

outcomes of *Rice v. Cayetano* may have an impact on affirmative action throughout the state.

Providing tuition waivers to all Native Hawaiians attending the University of Hawaii has been discussed recently by the state legislature and the University of Hawaii Board of Regents. The legislature has not passed any legislation on this matter.

Actions by SHEEO agencies: The University of Hawaii continues to monitor U.S. Supreme Court cases as well as cases at lower jurisdictions. University program staff have been reminded that their programs must continue to meet the standards of *Bakke* and staff meet regularly for updates, to develop a student affirmative action plan and to organize informal training workshops and technical assistance in reviewing programs and procedures.

There has been no effort to revise the current Board of Regents' Policy on Non-discrimination and Affirmative Action. In 1996, the Board of Regents approved the University of Hawaii System Strategic Plan 1997-2007 which identified five goals, one of which is to support diversity. The University of Hawaii will continue "to champion diversity and respect for differences." This goal commits the University to "recruit and find keys to the academic success of underrepresented student populations, especially Native Hawaiians; actively recruit underrepresented faculty and staff; and support spousal hire, mentoring, and related programs."

Because all ethnic/racial groups are numerical minorities, the term "minority" in Hawaii usually refers to ethnic groups underrepresented in higher education and professions in the nation and the state of Hawaii, namely, African Americans, Filipinos, Hawaiians, Native Americans, Southeast Asians and Samoans.

Idaho State Board of Education

State climate: No recent activity.

Actions by SHEEO agencies: The State Board of Education has requested new monies for initiatives to enhance Hispanic and Native American participation in higher education, especially in teacher education programs. To further increase understanding for diversity, the Board has formed the 70percent Committee whose charter includes examining issues concerning underprepared and underserved students. The Indian Education Council and the Hispanic Education Task Force participate in this effort.

Illinois Board of Higher Education

State climate: There have been no voter referenda, court rulings, or suits related to affirmative action in Illinois. In fall 1995, a Senate bill was introduced that would have prohibited "granting preferential treatment to any individual or group on the basis of race, color, ethnicity, gender, or national origin in public employment, public education, and public contracting." The bill was defeated in Committee after two public hearings were conducted in Chicago and Springfield. Representatives from the Board of Higher Education and Illinois colleges and universities strongly testified against the bill.

Actions by SHEEO agencies: Board policies and programs supporting affirmative action were formulated in the 1970s and 1980s. No substantive policy changes have been made since that time. Grant programs to improve minority representation continue to receive strong budgetary increases.

The Board of Higher Education plans to convene a committee in the spring 1999 to examine issues of access and diversity. To prepare for possible legal challenges to affirmative action, the Committee will examine alternative approaches to enhance access and improve student underrepresentation.

Indiana Commission for Higher Education

State climate: No recent activity.

Actions by SHEEO agencies: The state financial aid program, 21st Century Scholars Program, is based on socio-economic status and will continue to receive attention and funding.

Iowa State Board of Regents

State climate: There have been no voter referenda, court rulings or suits in Iowa affecting affirmative action. The Board, through a diversity study group, has worked to strengthen policies independent of the national affirmative action activities. A particular interest is to increase efforts to retain more qualified minority students at the public universities.

Actions by SHEEO agencies: The Board continues to support a number of initiatives to assure equal opportunity at the Regent institutions. In 1998, the Board adopted a Strategic Planning goal as a part of its strategic plan, with specific action steps to encourage continuous improvement of the climate for diversity and to ensure equal educational and employment opportunities. The Board's Diversity Study Group is reviewing current policies and considering new approaches to achieve its goals in this area.

Kansas Board of Regents

State climate: No recent activity.

Actions by SHEEO agencies: The Board supports ongoing campus efforts to increase diversity.

Kentucky Council on Postsecondary Education

State climate: Although the Sixth Circuit Court of Appeals has not issued a specific decision related to admissions and race specific scholarships for postsecondary education, public institutions in Kentucky are continually reviewing policies. Since the

Fifth Circuit Court of Appeals ruling in the case *Hopwood v. State of Texas*, the Kentucky Council on Postsecondary Education continually has advised the public institutions to review and revise admissions and scholarship policies. Institutions seek to comply with the U.S. Department of Education, Office for Civil Rights Advisory published in the January 31, 1994 issue of the Federal Register.

The Council is not aware of any pending legal challenges in Kentucky. There is, however, a Sixth Circuit Court of Appeals case at the University of Michigan that may have a significant impact on equal opportunity planning in Kentucky.

In 1979, the U.S. Department of Education, Office for Civil Rights (OCR) cited Kentucky as having vestiges of a former *de jure* dual segregated system of postsecondary education. Under an administrative order, Kentucky developed a five-year plan to address the issues identified under the administrative order. The OCR has not released Kentucky from the requirement of equal opportunity planning. Kentucky continues to address equal opportunity initiatives under the auspices of the original administrative order by the OCR.

Kentucky is presently undergoing a review of its compliance with Title VI of the 1964 Civil Rights Act. The U.S. Department of Education, Office for Civil Rights, expects to complete its work late fall or early winter 1999. The outcome of the Title VI Compliance review will dictate the next steps for equal opportunity planning in Kentucky.

Maryland Higher Education Commission

State climate: In 1985, the U.S. Department of Education Office for Civil Rights (OCR), and the state reached an agreement on a comprehensive five-year plan to foster equal educational opportunity in public higher education. OCR agreed that the plan met the requirements of Title VI of the Higher Education Act, although final OCR approval was never given. The state continues to improve equal educational opportunities and to initiate many activities to achieve this goal, notwithstanding the expiration of the plan.

In a 1994 case, *Podberesky v. Kirwan*, involving the University of Maryland, College Park, the race-exclusive Banneker Scholarship Program was found to be an unconstitutional practice and was struck down by the federal Fourth Circuit Court of Appeals. For several reasons, this case is indicative of the difficulty of meeting the strict scrutiny standard of review, at least as it is applied in the Fourth Judicial Circuit to which Maryland belongs. First, the Banneker program was implemented pursuant to the approved OCR plan as an affirmative action program necessary to remedy the present effects of past segregation and discrimination. Even though the program was defended as necessary to meet the OCR standard for Title VI compliance, it did not satisfy judicial review under strict scrutiny. Second, the programs were invalidated even in the face of a comprehensive record containing extensive administrative and judicial (lower court) findings of present effects of past discrimination at the University of Maryland.

Specifically, the lower court determined, based on OCR and university findings, that there was a "strong basis in evidence" that the university had (a) a poor reputation in the African-American community, (b) underrepresentation of African Americans in its student body, (c) disproportionately low retention and graduation rates of African American students, and (d) a hostile racial climate on campus. As a result, the lower

court ruled that the race-exclusive measure was justified as a remedy for the present effects of past discrimination. On appeal, however, the lower court was reversed on grounds that while there was sufficient evidence of past discrimination, there was not a sufficient showing of present effects of that past discrimination, primarily because the findings were too remote in time and were not shown to be directly connected to the conduct of the institution itself. Among other things the appellate court ruled that the mere knowledge of historical facts is insufficient to connect present effects with past discrimination and that a race-exclusive measure cannot be used as a remedy for general societal discrimination. The appellate court then held that even if it had been proven that the program was necessary to remedy the present effects of past discrimination, it was not narrowly tailored to further that objective.

Actions by SHEEO agencies: Consistent with *Podberesky*, the Banneker program was collapsed with the Francis Scott Key Scholarship program, is no longer race-exclusive, and is awarded solely based on academic merit. There have been fewer African American recipients of this scholarship. However, at the same time, there has been an increase in the enrollment of African American students at the University of Maryland, College Park, due, in part, to a favorable impression created by the institution's vigorous defense of its affirmative action program.

Since *Podberesky*, all race-based affirmative action programs have undergone a review to ensure compliance with the standards set forth in that case. Race-exclusive provisions have generally been abolished. There remains, however, considerable room for affirmative action policies and practices at Maryland institutions which, when properly crafted, fall within the current legal framework governing diversity and affirmative action. Such programs or initiatives are being carefully considered and implemented, particularly in light of the State's continuing obligations under the law.

The state has emphasized that an institution should clearly articulate its justification for any program that is race-based or where race is considered a factor among many, i.e., its diversity goals and rationale or the necessity to remedy present effects of past discrimination. Moreover, any program that satisfies the applicable legal standard can also be defended politically. Thus, carefully crafted programs are not disregarded or avoided in the face of political challenges.

The development of statewide policies to improve the recruitment and retention of minority students, faculty and professional staff has been a consistent goal of the Maryland Higher Education Commission. To achieve these objectives, the Commission asked each public campus to develop a minority achievement plan and to submit annual reports detailing its progress. Although, the campuses are making strides in minority enrollment in general, and in enrollment in high demand fields such as science and technology, the number of minority faculty and administrators hired and retained on many college campuses remains relatively low. Continuing efforts to increase this number must be made, consistent with the reality of market forces and the availability of qualified candidates.

Specific strategies necessary to ensure increased academic performance, college readiness and success for underrepresented and underserved students in postsecondary degree programs must be varied and address the issue from several fronts. A diverse student body must be taught by a well trained and diverse faculty-faculty that is recruited and retained specifically to provide diverse backgrounds, opinions, and points of view. In order to ensure a diverse student population, those who

are currently underrepresented due to underpreparedness must be identified in middle and high school and given the resources to ensure secondary school success and preparedness for college acceptance, matriculation, and graduation. Further financial aid programs must meet the varying needs of underrepresented groups, providing incentive and the means to attain postsecondary degrees. Using federal and state funds, Maryland is directly addressing the complex issue of campus diversity, through five grant programs administered by the Maryland Higher Education Commission: the Dwight D. Eisenhower Professional Development Program, the Maryland National Early Intervention Scholarship and Partnership Program, the Diversity Grant Program, the Henry C. Welcome Fellowship Program, and the Incentive Grant Program.

The University of Michigan at Ann Arbor

State climate: Several bills have been introduced in the Michigan legislature relative to affirmative action in higher education.

H.B. 4232 would prohibit the use of "group norming" in employment or higher education based on religion, race, color, national origin or sex for the purposes of selecting or referring an applicant or candidate for employment or promotion.

SJR E would eliminate preferential treatment based on religion, race, sex, color, ethnicity or national origin as a criterion for either discriminating against or granting preferential treatment to an individual or group in employment, public education or public contracting.

Additionally, two lawsuits have been filed against the University of Michigan challenging its admissions policies. One suit, *Gratz and Hamacher v. Bollinger, et.al.*, is against the College of Literature, Sciences, and Arts by a student who indicates that she was denied admission to the undergraduate program, despite having higher grades and test scores than minorities who were admitted. The other, *Grutter v. Bollinger, et.al.*, is against the School of Law by a student who said that he was denied admission despite having better test scores than minorities who were admitted.

Separate Federal District Court Judges will hear the suits in Detroit in the fall.

The University plans to vigorously defend its affirmative action policies in court and is represented by a Washington law firm. Additionally, The University of Michigan recently made public a summary of the expert witness statements that are testifying in support of the University's current policies. The University also has asked the judges to forego the trials and rule that its policies are legally based on previous decision of the U.S. Supreme Court. A number of national higher education organizations, colleges and universities and the U.S. Department of Justice have filed *Amici Curiae* (Friends of the Court) briefs in support of the University of Michigan.

Actions by SHEEO agencies: As part of a public information strategy, the University of Michigan provides documentation of the two pending admissions lawsuits and institutional reaction to these cases. On its homepage at <www.umich.edu>, the institution provides important legal filings for the undergraduate lawsuit, *Gratz and Hamacher v. Bollinger, et.al.* and for the law school lawsuit, *Grutter v. Bollinger, et.al.* In addition, the site provides news articles and statements by University of Michigan

faculty and alumni, national postsecondary education associations, and other organizations in support of diversity in postsecondary education. Findings from a recent empirical study of the educational benefits of a diverse environment to all college students by the University of Michigan are also available.

Minnesota Higher Education Services Office

State climate: The Minnesota Attorney General's Office has suggested that the Nurses of Color Grant Program is likely unconstitutional and thus legally indefensible. Created by the Minnesota Legislature, the program provides grants to students of color in eligible nursing programs in order to encourage the racial and ethnic diversity of registered and advanced nursing labor pools in Minnesota. Further, the program awards grants to institutions for local activities designed to recruit students of color into nursing programs and to provide extra support services during their education.

Actions by SHEEO agencies: The Higher Education Services Office is recommending that additional funding be directed toward early intervention programs so that persons of low income or from families with no previous postsecondary education experience can receive, through ongoing personal contact, information on academic and financial preparation for higher education attendance. Through such efforts, it is the agency's intent that persons who historically have not participated in postsecondary education will receive in greater quantity the encouragement, support, and information that many students enjoy in higher income and well-educated families.

Mississippi Board of Trustees of State Institutions of Higher Learning

State climate: Mississippi is under a remedial decree under the *Ayers* case that includes race specific mandates. The most recent Court of Appeals decision in the case, issued after the *Hopwood* decision, made no mention of the implications of *Hopwood* for the decree. The agency has had a motion pending in federal court for over a year asking for guidance in light of *Hopwood*.

Actions by SHEEO agencies: The Mississippi Institutions of Higher Learning continue existing affirmative action policies and programs, as well as the implementation of the race-specific components of the *Ayers* decree. Minority enrollments continue to increase, up 12 percent in the past five years.

Missouri Coordinating Board for Higher Education

State climate: Officially, no. Although Missouri is under the jurisdiction of the Court of Appeals for the Eighth Circuit, the ruling of the Court of Appeals for the Fifth Circuit in the *Hopwood v. State of Texas* case has had a ripple effect in Missouri. Legislation has been introduced which would prohibit the use of race, sex, color, ethnicity or national origin as criteria for either discrimination against, or preferential treatment for, any individual or group of persons in the state's system of public employment, public education, or public contracting. To date, such legislation has not passed.

Actions by SHEEO agencies:

Funding for Results. Funding for Results (FFR) is Missouri's approach to performance funding. FFR is designed to acknowledge results based on previous planning priorities. Institutional budgets are increased based on performance on several FFR elements. Initially, success of minorities was included as an FFR element. In response to pressure in the post-*Hopwood* environment, the board reviewed and redesigned its FFR policy by emphasizing underrepresentation rather than minority status. Included in the FFR allocation formula are both minority and majority students with low socioeconomic status as well as minorities with higher socioeconomic status whose graduation distribution is less than their distribution in the Missouri population of 18-year-olds or older. Low socioeconomic status and underrepresentation have become drivers of policy design.

Scholarship Programs. The 1998 Missouri General Assembly enacted, and the Governor of Missouri signed into law, two new major state need-based scholarship programs for Missouri's residents to access an approved Missouri postsecondary institution of their choice. The Bridge Scholarship Program was created to provide financial assistance for the first two-years of postsecondary education for students who could not demonstrate sufficient tax liability to take advantage of the Federal Hope Scholarship Tax Credit. The Missouri College Guarantee Program will be available to students who demonstrate the highest financial need. It is anticipated that this program will mainly target students with zero expected family contributions and maximum Federal Pell Grant awards. To be eligible, students must achieve a 2.5 high school GPA, obtain a composite score on the ACT or SAT assessment that is above the state average, and have the state's recommended high school core curriculum. Renewal eligibility requires the student to maintain a 2.5 cumulative college GPA and to complete a minimum of 24 credit hours annually.

Heartland Alliance for Minority Participation. Colleges and universities in Missouri have many initiatives to increase the enrollment of minority students. A joint effort that involves ten institutions is the Heartland Alliance for Minority Participation (HAMP), which has had partial funding from the National Science Foundation. Each HAMP institution is involved in designing and implementing bridge programs, from pre-college experiences through undergraduate and graduate education, to increase the participation of underrepresented groups in Missouri higher education. The bridge programs include early identification programs, undergraduate transition and retention programs, and graduate school transition programs. In summer 1999, HAMP will hold a retreat to develop a strategic plan for future statewide initiatives.

Missouri Student Assistance Resource Services (MOSTARS). The student assistance division of the Missouri Department of Higher Education, supports statewide programs and activities that provide early awareness and outreach materials to Missouri families. Further programs are being developed to target low-income school districts and high schools with a history of low college attendance rates. The MOSTARS existing activities and the new programs in the planning stages are very similar and will run parallel to the services that are required in the new federal Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP).

Blacks in Higher Education. Annually, the Missouri Legislative Black Caucus Foundation sponsors a statewide conference. The theme of this year's conference is "Celebrating a New Spirit in the Year 2000." The conference sponsors workshops to address current

issues pertaining to such areas as housing, health, education economic development, children, and families. The Missouri Department of Higher Education is an active participant in the conference agenda.

Montana University System

State climate: Yes. In the 1997 Montana legislative session, a bill was introduced that would have eliminated the Montana Indian Fee Waiver. Currently, approximately one half of the Indian students attending the Montana University System receive financial assistance under this fee waiver. Students must be residents of Montana, show financial need, and be of one quarter Indian blood. The bill was defeated through the collaboration of educators, tribes, labor, and human rights organizations.

In 1999, the Montana Legislature provided some measure of funding to the seven tribal colleges for non-beneficiary (White, Black, Asian, Hispanic, and non-enrolled Indian) students. This means there will be some state general fund support for majority students at the tribal colleges. We think Montana may be the only state doing this.

Passed was House Bill 528, an act implementing Article X, section 1(2), of the Montana constitution regarding the state of Montana's recognition of the distinct and unique cultural heritage of American Indians and the states commitment to establish educational goals that will preserve the cultural integrity of American Indians.

Actions by SHEEO agencies: The Montana Board of Regents implemented the Montana Tuition Assistance Program. MTAP is a state grant program created to assist Montana residents who are students attending an eligible Montana school and who are working to help pay for their postsecondary education costs. Students must have a least \$2,500 in earned income from the previous calendar year to be eligible.

University and Community College System of Nevada

State climate: No recent activity.

Actions by SHEEO agencies: The Board of Regents has reaffirmed its support for diversity.

New York Board of Regents, New York State Education Department

State climate: To date in New York, there have been no challenges to affirmative action that have affected the climate of support for minority student access and achievement.

Actions by SHEEO agencies: New York State continues its strong support of diversity through the State's Tuition Assistance Program and through an array of programs that provide for early intervention/outreach and the recruitment and retention of teachers who have the skills and knowledge to reach all students in their classrooms.

Liberty Partnerships Program. In New York State, the Liberty Partnerships Program identifies students in grades 5 through 12 that are considered to be at risk of dropping out of school, and provides them with services and activities designed to improve their ability to complete high school and advance into postsecondary education and the workforce.

Science and Technology Entry Program. New York State's Science and Technology Entry Program (STEP) works with students in grades 7 through 12. STEP is designed to increase the number of historically underrepresented and economically disadvantaged students prepare to enter college, and improve their participation rate in mathematics, science, technology, health related fields, and the licensed professions.

Teacher Opportunity Corps. The Teacher Opportunity Corps (TOC) has a dual purpose. It is designed: to enhance the preparation of teachers and prospective teachers in addressing the learning needs of students at risk of truancy, academic failure, or dropping out of school; and, to increase the participation rate of historically underrepresented and economically disadvantaged individuals in teaching careers.

Higher Education Opportunity Programs. Since 1969, New York State's Higher Education Opportunity Programs' (HEOP) purpose has been to expand educational opportunity to residents who are economically and educationally disadvantaged but who show potential for the successful completion of a higher education program. A salutary effect of the program has been to create an atmosphere in which more underrepresented minority students are able to participate in higher education through traditional admissions procedures as well as through the special channel of HEOP. A critical mass of underrepresented minority students on a campus can bring about important positive changes in curriculum, student life, and staff attitudes, leading to an institutional environment more sensitive to, and therefore more attractive to, a pluralistic student population. Higher Education Opportunity Programs continue to serve students from all ethnic groups. In 1997-98, 36.4 percent were African American and almost 39 percent were Latino.

Scholarship for Academic Excellence. New York State's Scholarship for Academic Excellence is presented to the top seniors at each registered high school. Each high school receives at least one \$1,500 scholarship and will be allocated additional scholarships based on the size of the senior class. The scholarships can be used for any of the costs of education at the college.

University of North Carolina System

State climate: North Carolina, like four other states within the jurisdiction of the U.S. Court of Appeals for the Fourth Circuit (Maryland, West Virginia, Virginia, and South Carolina) is subject to the 1994 decision of the court in *Podberesky v. Kirman*. That case invalidated specified types of race-based financial aid as administered by the University of Maryland.

A complaint filed in 1998 in the United States District Court for the Western District of North Carolina would have challenged a long-standing state-funded program, administered by the University of North Carolina, that awards need-based financial aid to students who choose to attend any of the campuses of the university at which they

would constitute a "minority presence," such as an African American student at a historically white institution (10 such institutions) or a white student at a historically black institution (five such institutions). However, the case was dismissed.

Bills introduced in recent successive sessions of the North Carolina Assembly, with provisions comparable to those adopted in other jurisdictions either legislatively or by voter referenda, would have barred any consideration of race in making available any governmentally conferred opportunities or benefits. However, no such legislation has been enacted.

In the fall of 1997, the president of the University of North Carolina directed the chief executives of the 16 constituent institutions to ensure that their respective campuses were not administering any policies or programs concerning admissions or financial aid that contravene clearly established legal requirements applicable in North Carolina. Specifically, the campuses were directed to ensure that they not make admissions decisions (1) on the basis of two-track systems in which persons of different races are evaluated separately or pursuant to different criteria; (2) on the basis of quotas or set-asides based on race; or (3) that otherwise are based exclusively or primarily on racial considerations. Further, the president required assurances that institutions not administer any programs of financial aid invalidated by the requirements of the Fourth Circuit Court of Appeals decision in the *Podberesky* case. However, the president affirmed that judicial and legislative developments in California and Texas do not bind the state of North Carolina and its public systems of higher education and encouraged the continuing pursuit of broadly diverse student enrollments through all lawful means, citing the opinion of Justice Powell in the 1978 *Bakke* case, which endorsed as "constitutionally permissible" the goal of attaining a diverse student enrollment, with race and ethnicity as one valid ingredient.

Actions by SHEEO agencies: The University of North Carolina continues to administer a comprehensive program, first adopted in the 1970s, and incorporated into a consent decree entered by the U.S. District Court in 1981 and perpetuated in substantial part by the university's governing board for the past 10 years following expiration of the consent decree in 1989. The program embodies two primary objectives: (1) increasing the participation of members of racial minority groups (particularly African Americans) as students enrolled at the constituent campuses of the university, to eliminate the historical gap in college-going rates between white and black high school graduates in North Carolina; (2) increasing the racial integration of student enrollments at all constituent campuses, both historically white and historically black. The program mandated by the governing board always has depended on "affirmative outreach" to achieve the two objectives (namely, vigorous and comprehensive publicity, recruitment, and inducement), while carefully eschewing race-specific policies and practices that are of questionable legality. The university system has made steady progress on both objectives. Significantly, during the last admission cycle, for the 1998-99 academic year, with assurances that no impermissible race-based programs were being followed, the percentage of African Americans enrolled in historically white institutions climbed to its highest level.

One area in which modifications in university programs have been necessary, in response to the *Podberesky* case, is financial aid. While the university continues to defend the propriety of its state-funded minority presence scholarship program (available to both black and white students) as distinguishable from the Maryland single-race program, there were a number of privately funded scholarship programs at various

constituent institutions that were limited to participants of one specified race. In the intervening years since the *Podberesky* decision, efforts have been made to validate such programs by (1) "privatizing" them, such as having the private donor which endowed the program also administer it, so as to avoid "state action," (2) modifying the criteria prescribed for eligibility so as to eliminate any racially exclusive provisions, (3) seeking court invocation of the doctrine by *cy pres* to modify programs in ways that preserve the basic donative intent while eliminating any legal infirmity in the original prescription, (4) adopting a "diversity" rationale, as endorsed by the U.S. Department of Education, to foster ethnic diversity consistent with the rationale articulated by Justice Powell in *Bakke*.

North Dakota University System

State climate: No recent activity.

Actions by SHEEO agencies: In March 1993, the State Board of Higher Education passed a Cultural Diversity Tuition Waiver policy. The program authorizes each campus, under the direction of its president, executive dean, or designee's equivalent, to grant tuition waivers of up to three percent of its undergraduate student enrollment to facilitate diversity and the needs of disadvantaged students on campus.

In 1989, the North Dakota University System was instrumental in the development of the Higher Education Resource Organization for Students (H.E.R.O.S.), whose purpose is to provide a net-working system of information sharing and advocacy for minority students. This organization consists of American Indian program directors, diversity representatives, and other campus personnel involved in diversity. All five tribal colleges and 11 state campuses have representatives attending the annual conference.

Ohio Board of Regents

State climate: No. The Attorney General of the state of Ohio recently filed an amicus brief in the cases filed against the University of Michigan and Michigan Law School. The amicus brief speaks to the fact that courts must preserve the discretion of each state to determine that diversity on its college and university campuses is a compelling interest. The brief emphasizes the value of social diversity to students' future roles as leaders and civic participants in their communities. Further, it argues that *Bakke* correctly recognized that a carefully limited use of race as an admission factor, when necessary to achieve diversity, is consistent with the fundamental principles embodied within the Fourteenth Amendment.

Actions by SHEEO agencies: Minority student achievement has been affected by an Ohio Board of Regents scholarship program entitled Student Achievement in Research and Scholarship (STARS).

Board Policies. The Ohio Board of Regents adopted a scholarship program in 1993 called the Student Achievement in Research and Scholarship (STARS). This program provides approximately \$140,000 in annual scholarships to those minorities whose racial or ethnic makeup traditionally has not been well reflected in the overall composition of Ohio's college and universities professor ranks. The STARS program

targets academically gifted African American, Hispanic, and Native American undergraduate students. The goal of the program is to prepare these students for graduate school, doctoral programs in particular, in hopes of encouraging these students to become professors.

Ohio has developed several initiatives designed to make public higher education more accessible to students from low-income backgrounds. Three types of effort are worth mentioning: improvements to state need-based financial aid programs, a new program to reduce the price charged by two-year campuses, and a new program to encourage effective service to needy students by public universities. Because minorities are disproportionately found in low-income strata, they benefit disproportionately from these programs. Because all students with similar economic circumstances are treated similarly, these improvements have been made without the divisiveness and rancor surrounding affirmative action programs.

Financial Aid. Ohio has made significant efforts to improve its need-based financial aid program, the Ohio Instructional Grant program, in recent years. This program makes awards grants on the basis of a table of grants that is tied to family income and family size. The magnitude of the improvement is suggested by the following example. In 1991-92, a student coming from a family making \$15,000 and having three dependents received a grant of \$660 if he attended a public institution and a grant of \$1,650 if he attended an independent institution. In 2000-01, based on the recommendations of the Governor and the action of the House, a student coming from a family making \$19,000 (an income comparable to an income of \$15,000 in 1991, after adjusting for inflation) and having three dependents will receive a grant of \$1,380 if he attends a public institution and a grant of \$3,408 if he attends an independent institution. These grants are provided to full-time students, but the state is also in the fourth year of a program to provide campuses with funds to be used for financial aid for part time students.

Access Challenge. According to data published by Kent Halstead, Ohio's two-year campuses have especially high tuition. Research suggests that these high prices especially discourage enrollments by low income and minority populations. The state has begun a program of targeted funding for two-year and a few special university campuses to enable them to begin lowering tuition. The Ohio House has just recommended that funding for this program be increased to \$65.3 million by the second year of the coming biennium. It has also mandated that two-year campuses freeze tuition in the coming year and reduce tuition by at least five percent in the following year.

Success Challenge. Another new initiative is designed to support university efforts to help full time students complete degrees in a timely way and to help its Ohio Instructional Grant recipients complete degrees, even if it takes a longer period of time. Because of the priority the state is now giving to support campus efforts to serve low income students, two thirds of the funding provided through this program will be distributed to public university campuses in proportion to the number of degrees awarded to Ohio Instructional Grant recipients. The remaining one third is allocated to reward timely degree completion. Total funding for the program in the Ohio House's version of the budget is set at \$48.7 million. This amount of funding will create a powerful incentive for campuses to consider how they might improve their service to low income students. It will simultaneously give them an important new revenue stream to support that service.

Oklahoma State Regents for Higher Education

State climate: Yes. A federal lawsuit has been filed against the State Regents challenging a legislatively-created scholarship program (the Academic Scholars Program), part of which mandates that test score percentile requirements be referenced separately for women and minorities. The plaintiff, a white male applicant, alleges that women and minorities with lower test scores than his have been awarded ASP scholarships, in violation of Title VI and the Equal Protection Clause of the Fourteenth Amendment. Defense motions to dismiss the lawsuit and for summary judgment have been denied by the Court. The lawsuit is still pending.

Actions by SHEEO agencies: The Oklahoma Legislature is considering a bill that would remove the challenged provisions of the current law. Other State Regents' affirmative action programs are being reviewed for Title VI compliance.

Oregon University System

State climate: The state climate on diversity has been affected by a recent student complaint to the U.S. Department of Education, Office for Civil Rights (OCR), and subsequent agreement with OCR. The complaint was related to a systemwide scholarship program, the Underrepresented Minority Achievement Scholarship (UMAS), designed to provide fee forgiveness support to African American, American Indian/Alaska Native, and Hispanic/Latino students.

Actions by SHEEO agencies: As a result of the agreement with OCR, the former UMAS program was modified to: (1) shift administration from the System office to each of the seven institutions that comprise the Oregon University System (OUS) in order to provide opportunities for each university to establish a program that would best fit its mission, and (2) allow for a broadened definition of diversity that does not restrict awards on the basis of race.

South Carolina Commission on Higher Education

State climate: There has not been activity in South Carolina, although it is in the 4th Circuit Court of Appeals and required to comply with the court's holding in the *Podberesky v. Kirman* case prohibiting race-based financial aid programs.

Actions by SHEEO agencies: The Commission on Higher Education (CHE) has not changed its behavior or moved away from commitment to access and equity. It recently reaffirmed its support of access and equity and of support for disadvantaged students by requesting an increase in appropriations for our need-based grants program. CHE continues to request annual appropriation for our access and equity program and have received slight increases in funding. There has been extensive debate in the general assembly about whether or not our new LIFE scholarship, modeled on Georgia's HOPE scholarship, should have an SAT requirement which reduces participation by African Americans. Right now, the SAT requirement is still holding. We are continuing our access and equity program that includes compilation of information/data about minority

enrollments, hiring of minority faculty/staff, etc., and makes available some funds to specific targeted programs.

Tennessee Higher Education Commission

State climate: The state of Tennessee continues to operate under the guidelines of the Stipulation of Settlement Agreement mandated by the decision of *Geier v. Sundquist*. This settlement is working to overcome inequalities in funding and participation rates for all races across the state of Tennessee. Programs, policies, and procedures to accomplish these goals remain in place throughout the higher education system of Tennessee. Each year a court mandated entity, the Desegregation Monitoring Committee (DMC) meets to detail and oversee the activities of the past academic year to meet the *Geier* mandated goals, and to ensure the firm commitment of Tennessee to the continued increase in representation of persons of color among faculty, staff, and students in its colleges and universities.

Actions by SHEEO agencies: Policies, programs, and procedures that continue to accomplish desegregation goals remain in place throughout the higher education system in Tennessee. The annual DMC Report is an update and detail of the activities and programs which evidence the continuing commitment by higher education officials to ensure continued improvement and increased representation of persons of color among faculty, staff, and students.

The enrollment for black undergraduate students increased by almost 700 students from the previous year. The current 23,032 black undergraduate students make up 16.15 percent of the student body, up from 15.75 percent. The percentage of black graduate students grew from 9.86 percent to 10.29 percent, while the actual number rose by 118 to 2,068. This increase in the enrollment of 118 additional black graduate students will continue to have a positive impact on the graduation of black students at the doctoral level.

Black student enrollment also has increase in the field of medicine, pharmacy, dentistry, and veterinary medicine. Continuing last year's increase from the previous year, the number of doctorates awarded to blacks in 1995-96 increased over 20 percent. In 1991-92, 24 were awarded (5.47 percent); in 1992-93, 21 were awarded (4.70 percent); in 1993-94, 13 were awarded (2.93 percent); in 1994-95, 22 were awarded (4.87 percent), and in 1995-96, 27 were awarded (5.49 percent).

Tennessee continues its efforts to make the higher education system more accessible to all students, faculty, and staff. The decades of programs and recruiting have increased representation of blacks at many levels at various campuses across the state. Another positive achievement has been the increased number of blacks attending graduate school at Tennessee institutions. Areas such as law, medicine, and pharmacy are either over or very close to 10 percent enrollment of the total population. The increases of these students obtaining professional degrees continue to be a major highlight of this report. The number of total undergraduates also continues to grow with over 23,000 black students enrolled at Tennessee institutions.

Areas of concern include the decline in upper level hires which were down from the previous year. The other area needing attention is the campus-by-campus

undergraduate enrollment numbers. While the overall numbers continue to increase, not all institutions have experienced such gains. Once again, the advances have outnumbered the declines in areas measured by this report. The areas that have not risen will continue to be targeted for improvements in the future. The Commission remains committed to removing all segregation of the higher education system in the state and will continue its role in order to reach that goal.

Texas Higher Education Coordinating Board

State climate: In March 1996, the Fifth Circuit Court of Appeals ruled in the case *Hopwood v. State of Texas* that the University of Texas at Austin law school's consideration of race or ethnicity in the admissions process violated the Fourteenth Amendment of the U.S. Constitution. The case was appealed to the U.S. Supreme Court, which denied the state's petition for *certiorari* on July 1, 1996. In August 1996, the Texas Attorney General advised Texas higher education institutions that *Hopwood* required that admissions, financial aid and student retention programs be administered on a race-neutral basis. That advice was finalized in an official opinion in February 1997.

In another case, a student who was denied admission to a University of Texas doctoral program filed a lawsuit alleging racial discrimination. The suit was dismissed on summary judgment by the district court, but the Fifth Circuit overruled the district court and remanded the case to district court for trial.

Actions by SHEEO agencies: The University of Texas ended the \$300,000 Target of Opportunity program, which was designed to recruit minority professors, because of concern that the program is barred as a result of *Hopwood*. The program was dismantled last fall but was not public news until January 1999.

A February 5, 1997 Attorney General's opinion said that private foundations can award race-based scholarships provided that the foundation functions as a private entity and its activities are completely separate and independent from the institution of higher education. However, if a foundation is simply acting as a proxy for the institution of higher education and is administering race-based scholarships on behalf of or at the direction of the institution of higher learning, then there is a potential violation of *Hopwood*.

Top 10 Percent Bill. A bill that provides automatic admission to students who graduate in the top 10 percent of their high school class was passed in 1997 and became effective with students entering in fall 1998. Also, the bill allows individual higher education institutions the option of admitting students in the top 25 percent of their class, and lays out 18 additional factors that can be considered by institutions when determining admissions for students who are not automatically admitted. Some of the other factors include responsibilities while attending school, work experience, community service/extracurricular activities, leadership, first-generation college student, socioeconomic background, region of residence, personal interview, and bilingual proficiency. The bill became law in time to affect the fall 1998 class, however, the bill has not produced the influx of minority students that was hoped for. Preliminary reports show that 8,626 top-10 percent graduates enrolled in public universities in Texas, which is below the 13,000 to 15,000 that were expected. Some of the difference may be

accounted for by students attending out-of-state colleges, community and technical colleges, and by students attending private schools. The true reason for the difference is unknown.

Scholarship Bill. The current session of the legislature is expected to establish a major scholarship program for Texas students who graduate from a public or private Texas high school and who enroll in a public or independent institution. In awarding scholarships, highest priority would be given to students with the greatest financial need. To be eligible, students would be required to complete the recommended or advanced high school curriculum or its equivalent. After the initial award, eligibility would continue for each semester that the student makes satisfactory academic progress toward an undergraduate degree or certificate.

Race/National Origin Bill. Under consideration is a new bill that would establish a legislative finding that the present effects of past segregation still exist in Texas public higher education and that these effects require the implementation of remedial measures. It would allow undergraduate, graduate, and professional schools to consider the "African American race and Mexican American national origin" of applicants when making admissions and financial aid decisions. Whether the bill will pass the Legislature is not clear.

Matching Grant Bill. This bill would allow Texas public institutions of higher education to match scholarships and grants given to Texas students by out-of-state institutions of higher education. Since *Hopwood*, there is a perception that many minority students are accepting offers from other states who can use race and other diversity criteria when making admissions and financial aid decisions. This bill attempts to keep highly qualified students in the state.

Formula Supplement for Recruitment and Retention of Economically Disadvantaged Students. The Legislature is considering a new formula for general higher education institutions that would provide: (1) study group sections each semester during economically disadvantaged students' first year in an institution of higher education, and (2) enhanced student services such as increased advising and counseling during their first two years in a university.

The formula would provide about \$44 for semester credit hours earned by economically disadvantaged freshmen for study group sections and \$380 per student in 2000 and \$390 in 2001 for enhanced student services. In 2001, institutions would receive an additional \$390 for each economically disadvantaged student retained in 2001 at the institution. The program provides funding for about 15,000 freshman and 11,700 retained students.

Utah System of Higher Education

State climate: The Utah State Legislature has defeated an "English Only" bill which has been proposed during three of the last five legislative sessions. There is presently a petition drive to place the issue on the general ballot. Despite occasional charges of "reverse discrimination" and "preferential treatment," the State Board of Regents continues to support equal opportunity policies and programs and encourages the state colleges and universities to do the same.

Actions by SHEEO agencies: The Utah System of Higher Education continues to support a number of initiatives to assure equal access and opportunity. For example, the Commissioner's Office coordinates efforts with the State Board of Education (K-12) to increase the number of minority students taking math and science classes (MESA) and tutoring done by various campus service learning programs. Funding requests are made annually for financial assistance and program support for disadvantaged students. The Commissioner's Office also has a positive working relationship with state's higher education minority coalition and contributes funding for a joint scholarship program. Regarding faculty and staff, the Regents require an annual report concerning the status of women and minorities, including salary levels, tenure status, recognition, awards, etc.

University of Wisconsin System

State climate: No recent activity.

Actions by SHEEO agencies: In May 1998, the University of Wisconsin System Board of Regents adopted a ten-year strategic plan to increase diversity among its 26 colleges and universities. *Plan 2008: Educational Quality Through Racial and Ethnic Diversity* is an umbrella plan to: (1) increase the number of Wisconsin high school graduates of color who apply, are accepted, and enroll at UW System institutions; (2) encourage partnerships that build the educational pipeline by reaching children and their parents at an earlier age; (3) close the gap in educational achievement, by bringing retention and graduation rates for students of color in line with those of the student body as a whole; (4) increase the amount of financial aid available to needy students and reduce their reliance on loans; (5) Increase the number of faculty, academic staff, classified staff, and administrators of color, so that they are represented in the UW System workforce in proportion to their current availability in relevant job pools. In addition, work to increase their future availability as potential employees; (6) Foster institutional environments and course development that enhance learning and a respect for racial and ethnic diversity; and (7) improve accountability of the UW System and its institutions. In June 1999, each UW institution submitted an institutional level *Plan 2008*.