



Tomorrow's Doctors, Tomorrow's Cures®

Diversity in GME post-Harvard/UNC

Learn

Serve

Lead

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Association of
American Medical Colleges

Background

Students for Fair Admissions v.
President and Fellows of Harvard



Students for Fair Admissions v.
University of North Carolina

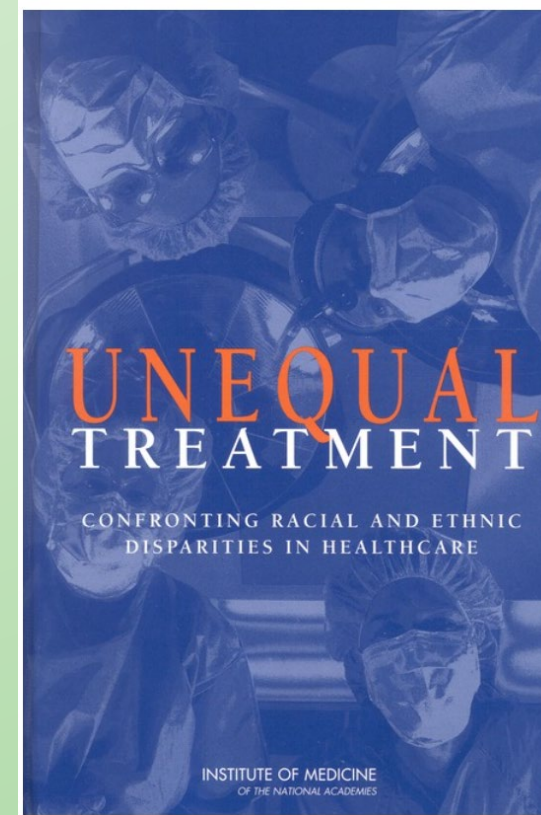


“... the Harvard and UNC admissions programs cannot be reconciled with the guarantees of the Equal Protection Clause.”

Rationale

- 1. No compelling interest (goals were too vague, could not be objectively measured)**
- 2. Use of race was inherently harmful (reliance on stereotypes, “zero sum game”)**
- 3. No meaningful end date**

**But surely medical schools
have compelling,
measurable goals?**



**Does this mean admissions
must be race-blind?**



“[N]othing in his 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.”

Not race-based, but also not race-blind

Race as a factor

Are you of Hispanic or Latino descent? (Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture)

- Yes
- No

Regardless of your answer to the prior question, please check *one or more* of the following groups in which you consider yourself to be a member:

- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or Other Pacific Islander
- White

Race as context

The admissions committee is interested in gaining more insight into you as a person.

Please describe a significant personal challenge you have faced, one which you feel has helped to shape you as a person.

Examples may include a

- moral or ethical dilemma,
- a situation of personal adversity,
- or a hurdle in your life that you worked hard to overcome.

Please include how you got through the experience and what you learned about yourself as a result.

**Racial Status
("check the
box")**

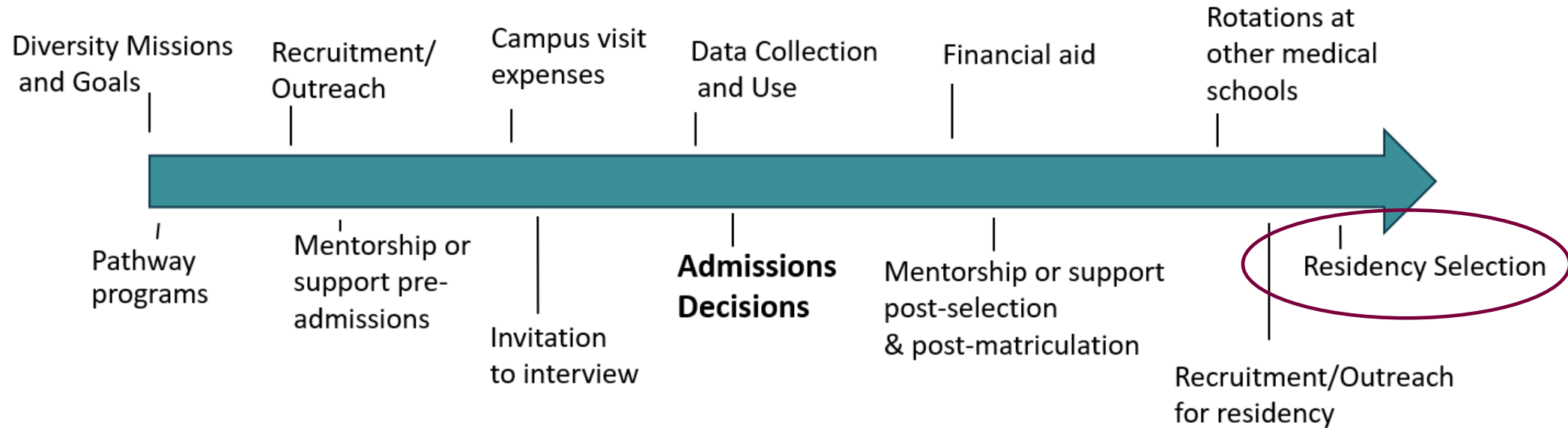
Strict Scrutiny

**Experiences/Goals
related to race**

**Race-neutral
factors (e.g.,
community service,
hometown, willingness
to serve a particular
population or region**

- 1. Is it a limited, material benefit?**
- 2. Compelling interest?**
- 3. Measurable? Being measured?**
- 4. Does use of race rely on stereotyping?**

Potential impact outside of admissions



Title VII of the Civil Rights Act of 1964

SEC. 2000e-2. *[Section 703]*

(a) Employer practices

It shall be an unlawful employment practice for an employer -

- (1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's **race, color**, religion, sex, or **national origin**; or**
- (2) to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's **race, color**, religion, sex, or **national origin**.**

Equal Employment Opportunity Commission

“It remains lawful for employers to implement diversity, equity, inclusion and accessibility programs that seek to ensure workers of all backgrounds are afforded equal opportunity in the workplace.”

-- Charlotte A. Burrows, Chair, EEOC

“Today's ruling only heightens ... employers' practical risks by reemphasizing the Supreme Court's rejection of diversity, nebulous "equity" interests, or societal discrimination as justifying actions motivated — even in part — by race, sex, or other protected characteristics. Companies continuing down this path after today may violate federal antidiscrimination laws.”

-- Andrea R. Lucas, Commissioner, EEOC

Anti-DEI Legislation



POLITICS AND RACE



DEI Legislation Tracker

Explore where college diversity, equity, and inclusion efforts are under attack.

By Chronicle Staff

The Chronicle is tracking [legislation that would prohibit colleges](#) from having diversity, equity, and inclusion [offices or staff](#); ban mandatory diversity training; prohibit institutions from using [diversity statements](#) in hiring and promotion; or prohibit colleges from using race, sex, color, ethnicity, or national origin in admissions or employment. All four proscriptions were identified in [model state legislation](#) proposed this year by the Goldwater and Manhattan Institutes.

Updated July 14, 2023.

We are tracking **40** bills in **22** states. So far,

40

have been introduced.

7

have final legislative approval.

7

have become law.

29

have been tabled, failed to pass, or vetoed.

Legal Developments

(1) Education

(2) Employment

(3) Philanthropy