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## Diversity in American Graduate Education Admissions: Twenty-first-century Challenges and Opportunities

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# Diversity in American Graduate Education Admissions

## Twenty-First-Century Challenges and Opportunities

*Donald Mitchell Jr. and Elizabeth Daniele*

### Introduction

One goal of U.S. President Barack Obama's agenda is for the United States to become the most college-educated nation in the world by the year 2020. While President Obama's goal focuses on K–12 and undergraduate education—with a particular interest in the sciences, technology, engineering, and mathematics (STEM fields), we would argue that graduate education is just as important in the U.S. quest for educational and economic improvement. For the United States to reach President Obama's 2020 goal, African American, Hispanic American, and Native American representation in graduate education, groups known as underrepresented minorities (URMs), must improve. In 2010, there were nearly 1.5 million U.S. citizens and permanent residents enrolled in graduate study. (Council of Graduate Schools [CGS], 2011). Of that total, approximately 12% were African American, nearly 8% were Hispanic American, and less than 1% were Native American (CGS). The numbers for that year are even lower for URMs in STEM fields. For example, African Americans represented 5.3%, Hispanic Americans represented 6.4%, and Native Americans represented 0.4% of all U.S. citizens and permanent residents pursuing graduate degrees in engineering. In comparison, temporary residents represented 45% of all graduate students in engineering (CGS).

Niemann and Maruyama (2005) argue racial and ethnic diversity in higher education is a matter of national need as demographics shift. STEM occupations in the United States will increase by 21.3% from 2008 to 2018 (U.S. Department of Labor, 2009, as cited in Malcom, Dowd, & Yu, 2010). By 2025, it is expected that URMs together will make up the majority of the U.S. population (National Science Foundation, 2009, as cited in Malcom, Dowd, & Yu). URMs must receive a fair share of STEM graduate degrees to contribute to a growing and undertrained STEM workforce (Malcom, Dowd, & Yu). URMs must also receive their fair share of graduate degrees to pursue other careers such as professor, K–12 administrator, and government specialist.

## Benefits of Diversity in Higher Education

Coleman and Palmer (2006) describe the interests of institutions of higher education in promoting diversity as including the serving of underserved communities, providing equal opportunity, remedying past discrimination, and securing the educational benefits of a diverse student body. To address the underrepresentation of minority groups in U.S. higher education, several colleges and universities depend on affirmative action laws. While affirmative action was created to combat U.S. racial discrimination, among other forms of discrimination, its existence alone is not enough to improve access. Many institutions of higher education have moved toward engaging admissions representatives who focus on the demographics of incoming students in order to increase the number of applications from URM populations and to bring focus to the benefits of selecting a diverse group of students during the application review process. However, their jobs will become even more difficult as the U.S. Supreme Court is re-examining affirmative action in *Fisher v. University of Texas* (2013).

We would like to note that we approached this chapter through a critical race theoretical (CRT) lens. CRT is committed to advocating for justice for people who find themselves occupying positions on the margins—or those who hold minority status. It directs attention to the ways in which structural arrangements inhibit and disadvantage some more than others in our society (Treviño, Harris, & Wallace, 2008, p. 8).

Because American public schools at all levels were so reluctant and resistant to desegregation efforts, it is still necessary for the government—through every branch possible—to pursue a policy of desegregation within higher education. As such, it is the position of this chapter that “the educational benefits that flow from a diverse student body [justify] ... a compelling state interest in student body diversity” (O’Connor, as cited in Smith & Bender, 2008, p. 446).

While the legal precedent of affirmative action in U.S. higher education is well documented, graduate admissions practices that withstand strict scrutiny need further documentation. This chapter fills that gap in three ways. First, we briefly highlight the history of affirmative action in U.S. higher education as it relates to broadening the participation of URMs. Second, we offer best practices in U.S. graduate admissions that take into account the benefits of diversity while working within legal guidelines. We then close with considerations for future scholarship, policies, and practices.

## Affirmative Action in U.S. Higher Education

What follows is a brief review of key terms, legislation, and cases that address the issue of desegregation in U.S. colleges and universities. Smith and Bender assert, “The phrase ‘affirmative action’ came to mean a national effort to overcome past injustices in the lives of women and ethnic minorities, chiefly African Americans, by assuring them of some advantage in employment opportunities and college admissions” (p. 435). The term dates back to President John F. Kennedy’s Executive Order 10925, signed in March 1961 (Cooper, 2005; Smith & Bender). This order created the Committee on Equal Employment Opportunity and states that contractors “will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin” (sec. 301[1]).

### *The Beginnings: From Bakke to Grutter*

In 1978, the U.S. Supreme Court reviewed *Regents of the University of California v. Bakke*. This landmark case questioning the “constitutionality of race-conscious school admissions policies” (U.S. Commission on Civil Rights, 2003, p. 2) established the guidelines that admissions offices across the country followed for the next 25 years. Allan Bakke’s lawsuit charged that his rights under Title VI had been violated because he, a white male, was rejected while minority applicants with lower scores had been accepted to the Medical School at University of California, Davis. This medical school was

not the only institution that implemented a dual-track admissions system that evaluated minority students separately and set aside a portion of the available spots each year for students who indicated on their application that they would like to be considered minority or disadvantaged. The court ordered that Bakke be admitted because it was unconstitutional to discriminate against him based on his race.

Given evenly divided justices, U.S. Chief Justice Powell cast the deciding vote and wrote the landmark decision that forbade quotas, but condoned recognizing race as a plus factor in admissions. Powell stated on behalf of the court:

The guarantees of the Fourteenth Amendment extend to all persons . . . The guarantee of equal protection cannot mean one thing when applied to one individual and something else when applied to a person of another color. If both are not accorded the same protection, then it is not equal. (As cited in Smith & Bender, p. 443)

Yet Powell also indicated, “The State has a substantial interest that legitimately may be served by a properly devised admissions program involving the competitive consideration of race and ethnic origin” (as cited in Smith & Bender, p. 445). Thus, a “nonobjective” factor, such as an applicant’s race, could be kept in mind as a competitive factor when deciding whom to admit and making admissions decisions. Also important, the Court’s decision recognized that “the freedom of a university to make its own judgments as to education includes the selection of its student body” (Powell, as cited in Smith & Bender, p. 444). Thus, the *Bakke* case set the standard that if an institution uses flexible methods, race can be considered alongside other admissions criteria because diversity among students is a legitimate and compelling state interest.

Yet following the *Bakke* decision, enrollment among white students increased, and the number of African American higher education students remained relatively constant (Teddlie, Freeman, & Lomotey, 2002). From 1986 to 1997, increases in African American enrollment reversed the trend seen in the era of the *Bakke* case (Teddlie, Freeman, & Lomotey). However, resistance in higher education and the broader society had ballooned. By the late-1990s, affirmative action programs were suffering attacks in various forms (Cooper). Specific to higher education, *Bakke* as a legal precedent was ousted or overruled in some states by decree or vote. State referendums outlawed affirmative action in California in 1996 and Washington State in 1998 (Laird, 2005; Pérez-Peña, 2012; Smith & Bender). In 1999, former Florida governor Jeb Bush issued an executive decree that “ended consideration of race and ethnicity in public university admissions” (Laird, p. 41). In other states, legal action was also taken to combat existing programs and practices (e.g., Arizona, Nebraska).

The case of *Hopwood v. Texas* (1996) involved a white applicant who was denied admission to the University of Texas Law School, and it eventually came before the Fifth Circuit Court of Appeals. This regional court with jurisdiction over the states of Texas, Mississippi, and Louisiana essentially contradicted *Bakke*. Based on the interpretation that all race-conscious admissions are unconstitutional, the court outlawed all affirmative action admissions plans at public and private universities in the region (Laird; Weber, Pope, & Simpson, 2005). Though Texas appealed, the U.S. Supreme Court did not choose to hear the Hopwood case, and thus avoided disputing and overruling the interpretation of the lower court.

Similarly in Georgia, U.S. District Judge B. Avant Edenfield ruled against the University of Georgia in *Johnson v. Board of Regents* (2000), stating that though in compliance with *Bakke*, the university admissions process violated state law (Laird). Edenfield’s decision was also appealed to the 11<sup>th</sup> Circuit Court of Appeals, which supported the original verdict and applied it to the states of Alabama, Florida, and Georgia. Neither the *Hopwood* nor *Johnson* decisions were appealed to the U.S. Supreme Court because two other cases emerging from Michigan were generally seen to stand a better chance at getting a verdict in line with the *Bakke* decision.

### *Affirmative Action in the Twenty-First Century*

The U.S. Supreme Court's next definitive cases regarding desegregation of higher education were decided in 2003. *Gratz v. Bollinger* (2003) dealt with undergraduate admissions at the University of Michigan's College of Literature, Science and the Arts, while *Grutter v. Bollinger* (2003) involved the charge of "reverse discrimination" by the University of Michigan Law School. Both cases were brought against University of Michigan president Lee Bollinger by white student plaintiffs (Weber, Pope, & Simpson). The law school used a process that considered every applicant as an individual.

Justice Sandra Day O'Connor cast the deciding vote and wrote the decision for an otherwise split court. She reiterated findings from *Bakke* with regard to "giving a degree of deference to a university's academic decisions, within constitutionally prescribed limits," stating that "to be narrowly tailored, a race-conscious admissions program cannot use a quota system," and "instead, a university may consider race or ethnicity only as a 'plus' in a particular applicant's file" (as cited in Smith & Bender, pp. 447–448). O'Connor's decision concluded with an expectation that "25 years from now, the use of racial preferences will no longer be necessary to further the interest approved today" (*Grutter v. Bollinger*, 2003, 539 U.S. 342), in essence leaving the issue open for (re)interpretation in the future.

While the *Grutter* case was decided in favor of the University of Michigan, the U.S. Supreme Court decided 6–3 in favor of *Gratz*, based on the fact that the College of Literature, Science and the Arts used an application evaluation system that assigned points to students who were minority and essentially made race a decisive factor for "virtually every minimally qualified underrepresented minority applicant" (Rehnquist for the U.S. Supreme Court, as cited in Smith & Bender, p. 450). Race cannot be the primary or defining factor of an application. The Michigan cases drew more amicus briefs than any previous case in history, demonstrating the interests of business and the military in having a diverse group of well-educated individuals from whom to select their leaders. Benítez, who successfully defended Bollinger and the University of Michigan policies in *Grutter*, used the strategy of emphasizing the value of diversity in higher education to make the case (Martinez & Martinez, 2005).

Given these legal precedents, institutions have to be careful in the admissions policies and programs that they implement. While race can be considered a "plus factor" or "compelling interest" in many states, race cannot be the deciding factor. As U.S. demographics shift, we hypothesize that considerations of race will become more prevalent in admissions decisions, particularly for public institutions that consider local, state, and national interests. The following section outlines recommendations for recruiting URMs in graduate programs in higher education while working within legal guidelines. In the subsequent section we continue to highlight URMs but also include practices for underrepresented populations (URPs), as best practices to recruit URMs and URPs often overlap. Practices that target URPs rather than URMs, specifically, normally pass "strict scrutiny." URPs in graduate education include URMs but also encompass first-generation college, low-income, and women in STEM.

### Best Practices for Underrepresented Minority (URM) and Underrepresented Population (URP) Admissions

Within the context of predominantly white institutions in the United States, we find the following graduate program practices effective in increasing the number of applications and admittances of URMs. Best practices can be grouped in two broad categories: pre-application and application. Pre-application practices are recommended to increase the quantity of URM applications in any given recruitment year. Application practices are intended to guide admissions decisions that take into account the benefits of educational diversity.

#### *Race-Neutral Practices*

In a holistic sense, several colleges and universities have moved toward using race-neutral graduate admissions policies. Race-neutral policies are "those that are neutral on their face but that are primarily

motivated by race-conscious goals” (Coleman & Palmer, p. 49). While the definition may make it seem as if race-neutral policies are solely seeking racial and ethnic diversity or the improvement of URM on campuses as end goals, other students do, in fact, benefit from these race-neutral policies. In the *Grutter* case, the U.S. Supreme Court suggested institutions implement the most promising race-neutral policies as they are developed (Coleman & Palmer). Ultimately, colleges and universities should evaluate which race-neutral policies are best for their particular campuses. In short, what works for one campus may not benefit the next (Coleman & Palmer).

An example of a race-neutral admissions policy is Texas’s House Bill 588 or “Texas ten percent plan.” In response to *Hopwood v. Texas* (1996), state legislators created a bill where the top 10% of graduates from Texas high schools gain automatic admittance into state-funded institutions (Fitzpatrick, 2001). While the bill was race-neutral, a goal of the plan was to improve the racial and ethnic diversity of state-supported institutions in Texas, while not excluding others; this particular plan has been attacked for rewarding students from lower-quality schools. Another example, and more practical example for graduate admissions, is “inclusive” recruitment and outreach programs to diversify the graduate student base (Coleman & Palmer). Rather than colleges and universities limiting their definition of “educational benefit of diversity” to racial and ethnic minorities, these policies may include, but are not limited to, women in STEM, students from low-socioeconomic backgrounds, and first-generation college students. However, since URMs are more likely to be first-generation college and low income (Engle & Tinto, 2008), “inclusive” policies are race-conscious but do not exclude students who do not identify as a URM.

### *Holistic Application Reviews*

URMs tend to score significantly lower than whites on the Graduate Record Exam (GRE) (Educational Testing Service, 2011); however, colleges and universities continue to use the GRE as a, or the, primary factor in graduate admissions decisions. While the Educational Testing Service (2011) stands behind the fairness and validity of the GRE, they offer these guidelines:

1. It does not and cannot measure all the qualities that are important in predicting success in graduate study or in confirming undergraduate achievement.
2. It is an inexact measure. (para. 3)

Zepeda (2006) offers case studies of exemplary recruitment and retention strategies used by graduate departments across the country. In one example, an institution implemented a holistic application review as part of their diversity recruitment strategy. Their successes included 25% of their graduate students identifying as URM, 40% of their graduate students were women, and 8 URMs were awarded PhDs over an eight-year span. More recently, the National Science Foundation’s (NSF) Graduate Research Fellowship Program—one of the most prestigious national graduate fellowships in the country—no longer accepts the GRE as part of their application process. While the NSF (n.d.) states that its “policy is not intended to be a reflection of the value of the GRE test” (para. 1) and is “race-neutral,” the policy should benefit groups who have historically scored lower on the test.

### *High-Impact Graduate Recruitment Fairs for URMs*

To improve the number of URM applications, many institutions attend graduate recruitment fairs that target URMs. Examples include the Annual Biomedical Research Conference for Minority Students and the Society for Advancing Hispanic and Chicanos & Native Americans in Science. Because many URMs are also first-generation college and low income, direct contact with admissions professionals at graduate recruitment fairs are invaluable for URM students. The fairs are also important for institutions as it provides an opportunity to brand their institution to URMs who are interested in pursuing graduate degrees.

### *Designated Admissions Professionals for URPs*

Many institutions have moved toward using admissions professionals who recruit underrepresented populations and we consider it a model practice. These representatives are key to increasing the number of applicants from URMs and other URPs, and should challenge institutions and departments to consider the benefits of educational diversity during admissions decisions. It is up to the institution to decide where it is best these admissions professionals be housed (e.g., institutional diversity, admissions, graduate studies) given the institutional context and their goals for increasing the diversity of their graduate student body. In many cases these professionals organize and attend many of the programs we highlight within this section.

### *Graduate School Visitation Programs for URPs*

Many institutions have begun hosting graduate school or campus visitation programs. These programs are typically for URPs who would like to pursue a graduate degree at their institution. Selected participants meet with faculty members, visit labs, learn about admittance requirements and the application, sit in on graduate classes, network with graduate students, faculty, and deans, and learn more about the institution generally. These meetings are particularly important for URM students and faculty because they give both sides a chance to meet each other before the student applies, and add a plus factor, not based on race, to the application review.

### *Undergraduate Research Experiences (UREs) for URPs*

Undergraduate research programs targeting underrepresented students are an ideal venue for recruiting URPs for graduate programs. Programs provide faculty a chance to observe underrepresented students in research settings prior to students submitting a graduate school application. Additionally, it provides students a chance to explore the campus community to see if it's a good fit. Again, these programs are typically race-neutral, but many times attract URMs. For example, the Harvard University Division of Medical Sciences hosts a URE that targets "historically underrepresented students in graduate education programs" (n.d., para. 2). While informal university branding happens during these programs, more formalized branding (e.g., presentations by admissions professionals) should be integrated into UREs.

### *Building Relationships with Minority Serving Institutions (MSIs)*

Building relationships with Historically Black Colleges and Universities (HBCUs), Hispanic Serving Institutions, and Tribal Colleges is valuable in recruiting URMs, and we emphasize relationships. These should not be one-way relationships where institutions expect MSIs to just send students their way because they have a "network"; these relationships should benefit both institutions. Possible activities include visits from admissions professionals, visits from faculty members where they may talk about their latest formalized feeder programs for UREs and graduate programs, and partnerships on federal grants (e.g., the Louis Stokes Alliance for Minority Participation) to create a pipeline of students. Institutional partners should emphasize what each institution does well and then complement each other so that it's a win-win-win for the students and both institutions.

## Programs That Serve URMs and Other URPs

Many educational enrichment programs specifically serve URMs and URPs. Institutions should make a concerted effort to connect with these programs to improve the number of applicants and acceptances from URMs and URPs. These programs range from federally funded, to private, nonprofit organizations. Examples include the Ronald E. McNair Postbaccalaureate Achievement Program founded and funded by the U.S. Department of Education in 1989, its purpose to "increase the attainment of Ph.D. degrees by students from underrepresented segments of society" (U.S. Department of Education, n.d., para. 1).

Another example is the National GEM Consortium (GEM), a private, nonprofit organization. GEM's (n.d.) goal is "to enhance the value of the nation's human capital by increasing the participation of [URMs] at the master's and doctoral levels in engineering and science" (para. 1). These educational initiatives are critical, as institutions can connect with thousands of URMs and URPs from across the country.

### *Targeted Funding for URPs*

Many institutions offer fellowships for URPs. These funds are set aside for students whose lived experiences and backgrounds are considered educational benefits. In many cases, these fellowships are budget release for academic departments as well. The University of Rochester Provost's Fellowship is an ideal example of a diversity fellowship. The fellowship brings "to Rochester talented individuals who will broaden the diversity of those pursuing Ph.D. degrees at the University," and "criteria for determining diversity can vary by discipline, but might include an applicant's ethnicity, gender, cultural background or other life experiences" (University of Rochester, n.d., para. 2).

### *URM Graduate Students*

Potential students like to know as much about an institution as possible before they apply. A good way to improve the number of applications from potential URM applicants is to use current URM graduate students as ambassadors for graduate programs. In many cases graduate students are more candid, bring unique insights, and connect with prospective students really well. URM graduate students may be involved with graduate school visitation programs, campus visits, and recruitment fairs. We would just remind the reader that they should be mindful of URM graduate students' time. They are students first, and they also are called upon to represent URM students in many capacities.

### *URM Faculty*

URM faculty are also important in recruiting URM students. Many researchers have identified the benefits of a URM representation in faculty ranks, particularly at predominantly white institutions (Quarterman, 2008). Therefore, it is important for universities to recruit and retain URM faculty to improve the number of URM applicants for graduate programs. URM students seek out faculty members who look like them and may serve as a role model during their graduate school experiences. If there are no role models or faculty who mirror them (in terms of racial and ethnic identities), they may be dissuaded to apply. The recruitment and retention of URM faculty may seem like a different institutional challenge; however, we would argue it is extremely important in recruiting URMs for graduate programs.

### *Marketing Materials for URPs*

Recruitment materials that focus on diversity and student services are key to attracting URMs and URPs. Institutions and departments should build cases on why prospective URM students should choose them. Questions to consider are:

1. What services and organizations are available to URM graduate students?
2. Why are diverse experiences and backgrounds important to the institution?
3. Who are the URM faculty and staff?
4. What are the graduation and job placement rates for URM students and other URPs?

Once these targeted materials are created, institutions can use them for recruitment fairs, graduate school visitation programs, campus visits, and e-mail communication.



## Conclusion

We would like to acknowledge that many U.S. states have ruled affirmative action as unconstitutional, which prohibits colleges and universities in those states from giving preferential treatment to groups based on race. Consequently, some of these states have seen the decline of URMs in graduate studies (Garces, 2012). Colleges and universities in these states have to be expressly intentional in their recruitment efforts of URMs. We hope that we have provided a healthy list of best practices in graduate admissions that can be implemented independently of where affirmative action rests.

Justice O’Conner suggested that U.S. higher education would not need race-conscious admissions policies 25 years from the ruling of the *Grutter* case. Near the midpoint of her timeline, the number of URMs pursuing degrees at any level of higher education has improved, but it is not substantial. While we support using affirmative action in U.S. admissions as a legal baseline, institutions must go beyond the legality of race-conscious admissions policies, and move toward cultural shifts in admission practices.

While we focused on admissions, we recognize that recruitment and admissions policies and practices are not enough to improve URM representation in higher education. Institutions must have robust retention programs for the students they recruit. The attrition rate for students in doctoral education hovers around 50%, and the rate for URMs might exceed the 50% threshold (Nettles & Millett, 2006). Ultimately, institutions of higher education do their graduate students a disservice when they do not have retention programs for students once they arrive. We recommend more research, assessment, and evaluation that focus on URM experiences in graduate education and aim to improve URM retention rates. We also encourage institutions to move from traditional graduate admissions models that focus solely on admittance to graduate recruitment and retention models that focus on the entire student experience.

Additionally, U.S. higher education institutions must work more closely with legislators to focus on local, state, or national needs. These types of shifts would move graduate admissions from legal, race-based to rational, need-based decisions and may positively impact the racial diversity of incoming classes while fulfilling public needs. As U.S. citizens, we believe that in order to move toward a truly integrated educational system, one in which our national community will derive maximum benefit from our human resources, we have to improve our methods of not just accepting but also of incorporating all citizens into graduate education.

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