The Supreme Court Has Upheld Affirmative Action. So Let’s Dump Mismatch Theory.

By RICHARD O. LEMPERT JUNE 23, 2016

NOW that the Supreme Court has upheld affirmative action in its second Fisher v. University of Texas decision, the debate over the “mismatch” theory — the idea that affirmative action harms minorities by admitting students to challenging schools where they cannot succeed — should finally be put to rest.

The overwhelming volume of scientific evidence shows no link between affirmative action and failure to graduate. And several studies actually show that similarly qualified minorities do better in more selective schools.

Despite its fragile empirical foundation, the idea has received outsize attention. Consider the hubbub after the late Justice Antonin Scalia said during oral arguments in December that black students might do better at “a slower-track school” where classes were not “too fast for them.” The appeal of mismatch is rooted in racist stereotypes about black students and fed by flawed social science. A careful review of the data shows that affirmative action benefits minority students. It does not mismatch them.

The best studies have looked at large numbers of undergraduates who attend schools of varying selectivity. William G. Bowen and Derek Bok did the same in their seminal book “The Shape of the River.” They found that minorities did better at more selective schools.

The sociologists Mary J. Fischer and Douglas S. Massey reached a similar conclusion. To assess the impact of affirmative action, they analyzed a database that followed the college careers of undergraduates from 28 selective schools.

Their results were striking. “In no case did we find that having a SAT score below the institutional average undermined the performance or well-being of individual minority students,” they wrote. “If anything, minority students who benefited from affirmative action earned higher grades and left school at lower rates than others.”

The sociologists Sigal Alon and Marta Tienda’s findings are consistent: Students at elite colleges were more likely to graduate within six years than their counterparts at less-selective ones. The more selective a college, the more likely a minority student was to graduate. They concluded that “minority students thrive at selective postsecondary institutions, despite their disadvantaged starting lines.”

The economists Peter Arcidiacono and Cory Koedel found that African-Americans who attended the University of Missouri’s flagship institution did better than similarly skilled peers at Missouri’s least selective colleges. Other studies.
including the careful research of the Harvard professors Mario L. Small and Christopher Winship, point in the same direction.

There are fewer studies of graduate or professional schools, but most show that affirmative action has no detrimental effects. Two colleagues and I compared minority and white students from 27 classes of University of Michigan Law School alumni. The school’s minority graduates later earned just as much as their white classmates and were as satisfied with their career outcomes. However, minorities did significantly more pro bono work than whites.

If affirmative actions’ effects can be seen in more than just graduation rates but also in the career and life achievements those enable, then Michigan Law’s minority graduates did just as well as its white alumni and even gave back more to society. This would not be happening if minority students learned less because they were mismatched to the law school, or could not later handle the work lawyers do. A study of doctors trained at the University of California, Davis, yielded similar results.

In another study of how school placement affects wages, the economists Stacy B. Dale and Alan B. Krueger followed graduates from a diverse set of schools until their 30s or 40s. They compared students with similar credentials who had been accepted to comparable sets of schools but attended schools of varying selectivity.

Minorities who attended highly selective schools earned more money than minorities at less selective schools. This was not the case for a vast majority of whites. This might be because elite degrees help insulate minorities from racial discrimination in hiring, a problem whites don’t face, or because minorities lack the job-relevant connections that an elite education provides more than whites do.

The few empirical studies referenced by people who defend the mismatch theory do not hold up to critical scrutiny. Of those, the study most often cited is by Richard H. Sander, a law professor at the University of California, Los Angeles. He argued that affirmative action beneficiaries at law schools were harmed, not helped, and if admissions committees stopped considering race in admissions, African-American students would graduate and pass the bar exam at higher rates.

But 16 authors in seven different articles analyzed his data to see if his results held up. None reported anything like what Professor Sander had claimed. Moreover, a group that includes two members of the National Academy of Sciences and other leading empirical scholars and statistical methodologists advised the Supreme Court in an amicus brief in Fisher v. University of Texas to disregard Professor Sander’s research. His work “fails to satisfy the basic standards of good empirical social science research,” they explained, and “numerous examples exist of better ways to perform the type of research Sander undertook.” The few other articles offered in support of the mismatch hypothesis are no more convincing.

Despite all this evidence, mismatch theory stuck around because, through Fisher 1 and Fisher 2, the Supreme Court kept affirmative action an open question. Now that it has again upheld the constitutionality of affirmative action, even past opponents should acknowledge the bankruptcy of mismatch theory. Affirmative action does not harm minority students. Racial isolation does.
THE TRIBUNE'S VIEW

Middleton
Explaining MU in D.C.

By HENRY J. WATERS III

Thursday, June 23, 2016 at 2:00 pm

Earlier this week interim University of Missouri President Mike Middleton spoke to the National Press Club in Washington, D.C., in yet another attempt to explain to the world “what in the hell is going on at the University of Missouri?”

That question was commonly asked by people from all over the nation and beyond who assumed the worst. Middleton tried to put the situation in broader perspective.

Ever since assuming his temporary office, Mike Middleton has tried to give protesting students more due than most of us have been willing to grant. After explaining that university leaders all over the country have been too complacent about racial issues on their campuses, he told the press club about protests at MU by Concerned Student 1950, saying, “These young people knew what they were doing, and they did it well.”

This will irritate many white people. Most of us are unable to see what black people on campus regard as racism and lack of inclusion. From his perspective as a black person, Middleton has always seen another side, though until now he has not been in a position requiring outspoken top leadership. In fact, despite the strong organizational support he always has had, his white superiors have not been able to intrinsically share the black perspective.

Now, Middleton obviously sees a need to tell more of the story. To illustrate the complacency of campus administrations, he cited a recent survey conducted by Inside Higher Education that found 84 percent of college presidents think race relations on their campuses are good or excellent.

“The prevailing view was that race relations were good, maybe even excellent at Mizzou,” Middleton told the group. “But the fact of the matter was that, institutionally, leaders were not paying attention, and they got caught.”
At this point it takes a good deal of latitude from whites to accept what Middleton says. Literally, very few of us are able to see the problem. We will nod in agreement with the 84 percent of university presidents. We, and they, are not riven with animosity toward black students and faculty, or even black people in general, but we can’t and never will be able to see from their perspective. We believe race relations are better than ever. Maybe we don’t have the whole picture.

University of Missouri managers can argue they have reacted well. Middleton tells his audience in D.C. about inclusion initiatives and lack of violence on campus, balanced by official action against Mellissa Click, the catalytic figure who did more than anyone with the possible exception of former football Coach Gary Pinkel to rouse anger at university management.

Yet most critics had nothing to say about management complacency toward racism on campus. They were angry because management did too little to punish the protesters. Against odds, Middleton tries to broaden the focus.

We establishment types need to listen and give allowance for the way UM System and MU campus management is dealing with the situation. We’ll never know how important it was that Middleton became interim president when he did. He was willing to step into the line of fire from both sides, absorbing the flak.

With Middleton as foil, both sides have every reason to adopt a positive attitude. We white establishmentarians need to cheer rather than denounce how Middleton & Co. let the air out of what could have become a more serious uprising. He and his minions were not pantywaists. They insisted the protesting students get off the quad and engage in a discussion. The students had every reason to do so when the discussions were staged and entertained by the president himself. They have every reason to recognize progress and not instantly insist on the impossible. They have been instrumental in starting a process that, by all indications, will last forever at MU. Ongoing outcomes will never completely satisfy everyone on both sides, but if this isn’t important progress, what is?

Later on, Mike Middleton will be given more credit than he now receives, not least for going on a national forum to explain to the world how the University of Missouri answered a student protest movement that threatened to engulf campuses all over the nation. In a real sense, what our managers did here helped focus the problem and solutions on a single campus in Columbia, Missouri. Other campus managers should bless the day MU took over the front page.

HJW III
MU to conduct test of improved warning system

Thursday, June 23, 2016 at 2:00 pm

Generated from News Bureau press release: “MU to Conduct Emergency Notification System Test Friday”

The University of Missouri on Friday will conduct two tests of an upgraded alert system intended to save about $24,000 annually while providing greater flexibility for warning students, faculty and staff of dangerous situations.

In the morning, a text and email will be sent to faculty, staff and possibly some students, according to a news release from MU.

In the afternoon, the entire notification system will be activated with warning beacons in operation, web- and social media-based alerts and text and email messages to all faculty and staff who have registered to receive the notifications. Some students might also receive the second alert, the news release said.

Staff and faculty who do not receive one or both of the test alerts can visit mualert.missouri.edu for more information.
MU to test alert system on Friday


Generated from News Bureau press release: “MU to Conduct Emergency Notification System Test Friday”

COLUMBIA, Mo. - Officials at the University of Missouri will run two tests of the school's upgraded alert Emergency Notification System on Friday.

The first test will take place in the morning, when a message will be sent by text and e-mail to faculty, staff, and possibly some students. The second test will happen in the afternoon - it will activate the entire notification system, including text, e-mail, desktop alerts, emergency beacons, social media, and the internet.

During the second test, all faculty and staff should receive alerts if they are registered to get them. Some students may also get alerts during the second test.

According to MU officials, the upgraded system will save around $24,000 each year, and will allow more flexibility when sending messages.
MU removes portion of diversity website amid criticism
Posted on 23 June 2016 at 5:33pm

Watch the story: http://mms.tveyes.com/PlaybackPortal.aspx?SavedEditID=14ffe1d1-3bfe-4a3a-bc30-29d20f157be6

COLUMBIA - The University of Missouri took down one portion of its diversity website for review Thursday following criticism that one religion, Hinduism, was left out.

Christian Basi, a spokesperson for MU, said the MU News Bureau received a complaint Wednesday night that Hinduism wasn't referenced on the "inclusive terminology guide" page on the website. The bureau removed the webpage Thursday morning to see if improvements can be made.

"The website that was brought to our attention was never meant to be a comprehensive guide to inclusive language. It was meant to be a starting point and included terms that are often misunderstood or misused," Basi said.

Rajan Zed, president of Universal Society of Hinduism said in a press release, "'Faith and Religion' section of this guide, when it was available on Mizzou website, defined some Christian, Islamic, Jewish, Atheist, and Agnostic terms, but failed to mention any terms related to Hinduism."

Basi said the religion is mentioned on other parts of the diversity website.

"Specifically, MU has a guide to religions on its diversity website, that serves as an educational resource as well as a resource for individuals looking for, for example, a place to worship," Basi said. "That website has a lot of information on there about Hinduism."

MU's spokesperson said the university is always open to adding new information to the diversity website.
I've remained relatively silent online about the Brock Turner case. I've felt speechless about this subject. What more could I add to this dialogue that hasn't already been said by other writers and courageous survivors?

A few weeks have passed since the story broke. I was in Washington D.C. attending a summit with fellow incoming and outgoing university Student Body Presidents when Buzzfeed published the heartbreaking article. Disgust. Anger. Sadness. Frustration. These were the emotions so many of us experienced in reaction to the letter by the Stanford survivor that we read over, and over again until the words “You don’t know me, but you’ve been inside me, and that’s why we’re here today” played in our heads like a broken record.

I am not a survivor of sexual assault. But, I know one too many people who are. I am saddened to admit my advocacy work on the issue is, quite frankly, sub par. In my time at USC, we launched a campaign in parallel to the White House’s It’s On Us movement. We called it “Trojans Respect Consent.” We had thousands of likes on our Facebook page, I gave press interviews, and wrote passionate statuses. But, did my work have any real impact besides a flashy photo campaign or social media presence? No. Not at all. It wasn’t until I met with survivors and activists that I understood how intricate this issue is and how much learning I had to do.

They taught me awareness is only step one — we aren’t going to solve this unless we change policy.
Sexual assault on college campuses is poison. And while college administrators may not necessarily hold the horrid vial, they do have the antidote. Their failure to prescribe the solution, however, makes college administrators thoroughly complicit in rape. From protecting rapists with pitiful punishments such as expulsion after graduation (yes, this actually happened at James Madison University) to failing to support survivors with proper resources, college campuses have a rape problem. But, we know all of this (or at least, I hope we do). If we want to end sexual assault, we must recognize we cannot stop at liking, clicking, and sharing. Awareness is just a start. We must support and believe survivors.

We must do more than what we are currently doing. We have to hit these institutions where it hurts: M-o-n-e-y.

In a previous piece for The Huffington Post, I argued how American universities have turned into billion dollar businesses that are more concerned about their public relations image than about the welfare of their students. I want to delve a little deeper into this concept. Universities are laser-focused on their PR because perception impacts donations, which in turn impact rankings, which in-turn keep administrative salaries high and of course...keeps their doors stay open. Never underestimate the power of a Crisis Communications team or General Counsel in higher education, whose sole job can become making sure people forget about a sexual assault or discrimination case in order to revive a favorable public image.

At the University of Missouri, grad student Jonathan Butler went on a hunger strike and was joined by hundreds of student activists demanding Mizzou address racism and discrimination on their campus. I fully applaud the efforts of these activists. But, the tipping point and the final blow to System President Tim Wolfe came in the form of cold, hard cash. When Mizzou’s football team refused to play any games until Wolfe resigned from his position, their act of protest put millions of dollars on the line. And that’s when Wolfe stepped down: When Mizzou’s source of revenue was at stake — not when his students’ lives were.

The sad lesson here is that higher education is driven by money. While I want to believe our leaders are driven by the profoundly necessary human quality that is empathy, real-life experiences prove otherwise. Many of our leaders are driven by the prospect of loaded coffers.
Look no further than Congress for proof. The NRA fills the pockets of our politicians for inaction on gun violence prevention.

So if it is greed that drives university leaders to smother rape cases and if we want to embolden efforts to end sexual assault, we need to hit them where it hurts: The advancement office.

In August 2009, a Huffington Post article by Tyler Kingkade read: “Dartmouth Posts Fundraising Record Amid U.S. Sexual Assault Probe.” Despite a 14 percent drop in student applications following the sexual assault fallout, Dartmouth alumni “made $287.2 million in philanthropic commitments for fiscal 2014.”

Now imagine this: High profile donors refuse to send even a single dime to universities until a significant change is made to sexual assault policy on college campuses. Those policy changes come in various forms — increased funding for Title IX offices so more cases can be effectively heard, increased support for survivors of assault so their trauma can be treated, education and training on topics such as toxic masculinity so the root problem can finally be addressed. These are policies that survivors and activists have fought for years.

Alumni and donors have a say in the type of environments they want to support. Taking a stand against sexual assault through a financial protest can be a potent way to urge change.

I’m not touting my proposal as the end-all solution to rape on college campuses. This issue is complex and we all have more learning to do. This is, at the end of the day, one observation that I believe could lead to tangible change.

If our leaders lack the empathy to listen and act accordingly after a young woman pleads to a courtroom for justice after her brutal rape, it’s time we take charge in new ways. Money makes the world go ‘round and it certainly makes universities go ‘round. It’s time we used our dollars to put a stop to something significant: sexual assault.