

Chairman Owens, Ranking Member Wilson, and distinguished members of the Subcommittee, thank you for the opportunity to testify today on Diversity, Equity, and Inclusion Offices and the valuable contribution they make to institutions of higher education.

My name is James Murphy, and I am the Director of Postsecondary Policy at Education Reform Now, where, among other things, I work on improving college access for underrepresented students. College access is not simply a question of who gets admitted to which college, but who applies, who persists, and who graduates into a successful career. Diversity, Equity, and Inclusion offices and the work they do play an instrumental role in this expanded access work, which benefits all students.

It's an honor to talk to you today and to be given the opportunity to clear up some of the myths that proliferate around the field of Diversity, Equity, and Inclusion and to talk about the actual work that DEI staff members do and how it serves students. I should be clear that I do not work and have never worked in a DEI office and my comments today are based on research and conversation with people who have experience in the field. Good policy, after all, is best developed in dialogue with practitioners.

The murder of George Floyd precipitated an expansion of DEI efforts at some institutions, but it by no means created DEI offices. DEI offices may feel new or confusing to some, but they are a natural development of the changing demographics of higher education going back to the 1960s. Long before we had invented the term DEI, [admissions officers at some highly selective colleges responded to the assassination of Martin Luther King](#) with an increased focus on developing practices that would make all academically qualified students feel welcome on their campus. For instance, admissions officers recognized the need to visit more high schools where minority students were in the majority or to connect with campus services to make sure that Jewish students could practice their faith on campus.

Much of this early DEI work occurred in an ad hoc manner, as women, students of color, low-income students, and students from rural backgrounds began showing up on campuses with different needs and expectations than the graduates of, say, Northeastern boarding schools. As time went on, these practices became more formalized and professionalized, but even as DEI became institutionalized, it did not cohere into a monolithic institution built around an ideological consensus.

Any attempt to define the "real impact of DEI" must begin with an acknowledgement that there are hundreds of colleges and universities that employ staff whose work is focused on fostering diversity, equity, and/or inclusion. Unsurprisingly, there is considerable variation in the scope, mission, practices, and authority of those offices. That should give us some pause in speaking about DEI as a monolith or in using one anecdote to make sweeping claims about an entire field

of work or the people who work in it. For every ridiculous meme, there are hundreds of professionals working to make their campuses more welcoming and inclusive and carrying out work that is, at heart, compassionate and caring.

At some institutions that work is carried out by fostering community engagement and dialogue; at others it entails the creation and transmission of guidance on putting fairness and diversity at the center of a range of practices, from admissions and instruction to recruitment and hiring; at some institutions, DEI offices play a central role in ensuring that their college is in compliance with Title VI, Title IX, and the Americans with Disability Act and that they have taken appropriate action to address real and perceived threats based on race, color, religion, sex, national origin, or disability.

What few, if any, DEI offices do is provide direct instruction to students, let alone indoctrinate them into any set of beliefs. The reality is that most college students will never engage with the DEI office at their institution. The reality is there is no such thing as a DEI ideology, because even individual offices contain a diversity of viewpoints among staff on how to best accomplish their mission. The reality is that no DEI office has the authority to silence students. If there were one trying to do so, it should be subject to legal action.

The reality is that the current assault on DEI offices relies on the ignorance of most people about the work they do, which makes it easier to portray people who are deeply committed to creating campuses where all feel welcome and respected as boogeymen. As Mitchell Chang, Interim Chief Diversity Officer at UCLA, [recently wrote](#), “Chief diversity officers...spend their days mainly on administrative duties and functions, not advocating their own political views.” They serve as coordinators between academic departments, students services, public safety, and other divisions at universities, not as ideologues.

The people who want to tell students what they can think are in fact the legislators writing bills that would literally ban university employees from saying certain words out loud on university property. That’s not America. That’s the Soviet Union. In America, we let adults debate contentious ideas. When it comes to higher education, we even encourage them to do so. We certainly don’t tell them they cannot say things like “unconscious bias” or “cultural appropriation.” We ask them to think about words and their meaning and to engage seriously with ideas.

In that spirit, I would like to address the fact that most critics of DEI in fact never seriously engage with the field or its basic concepts, dealing instead with caricatures and bad faith rhetoric. I would like to conclude by providing some clarity on the field’s fundamental terms.

**Diversity** remains a compelling interest for almost all institutions of higher education, who list among its educational benefits the following: [“training future leaders,”](#) [“preparing graduates to adapt to an increasingly pluralistic society,”](#) [“promoting the robust exchange of ideas,”](#) and [“producing new knowledge stemming from diverse outlooks.”](#)

I believe that these are “commendable goals” that are “plainly worthy” of pursuit by colleges. So does Chief Justice Roberts, who used those descriptors—“commendable” and “plainly worthy”—to describe efforts to make campuses more diverse in the [majority opinion in the \*Students for Fair Admissions \(SFFA\)\*](#) decision last June.

While Justice Roberts and the majority did not believe, as I do, that they justified the consideration of race in college admissions decisions, the Court was very clear that its decision was limited to college admissions decisions and had no bearing on other efforts to maintain or increase diversity on campus. In other words, the *SFFA* decision has no bearing on Offices of Diversity, Equity, and Inclusion. I suspect, however, that most DEI staff would agree wholeheartedly with Chief Justice Roberts and the majority that enrolling a diverse student body is a commendable goal that is plainly worthy.

Why is that? Diversity in workplaces and schools benefits everyone. That is a basic principle that the Supreme Court articulated decades ago, when it described diversity as a “compelling interest” on college campuses, because it helped prepare students for workplaces that have become increasingly diverse.

I am reminded here of something a friend, who for what it’s worth is also a lifelong Republican, shared with me years ago. He graduated from West Point, and after serving in the Gulf War he earned an MBA at Emory University. When I asked him, skeptically, what a business school could have taught him about leadership after he had led an army unit in Iraq, he told me that getting an MBA was incredibly helpful because it gave him the first chance he’d had in his life to work with women. Learning with people who come from different racial, ethnic, religious, and ideological backgrounds not only lets us all share in the richness of the American experience but also prepares today’s young people for the 21st-century workplace.

It is important to say that the “commendable goal” of pursuing diversity on campus includes but is not limited to race and ethnicity. Many or even most DEI offices are just as focused on religion, gender, and socioeconomic status, and their work often directly serves or intersects with students who are veterans, are from rural communities, students who are the first in their family to attend college, and students who have children or are returning adult learners. DEI can include groups like First-Generation, Low-Income organizations, which provide a chance for students to connect to each other and receive support. It can also include offices like the [University of Idaho’s Office of Violence Against Women](#), which created the Coordinated Community

Response Team to help victims of sexual violence not just report their crime and get the appropriate medical response but also deal with the aftermath of assault and rape. Opponents of DEI may want to shake their fist about divisive concepts, but the reality is that DEI officers' main concern is helping students succeed on campus as much as possible.

Success raises the question of what is the most contentious word in the DEI trio: “**equity.**” Equity is one of those words that many people feel strongly about even as they struggle to define it. Here is what equity does not mean: it does not mean pursuing equality of outcomes. That’s a ridiculous idea that has been repeatedly cited by opponents of DEI offices. No one can promise an equality of outcomes. Do all you want, I will never be a good bowler, because I have no talent for the game. At the same time, I should have the same opportunity to go bowling as anyone else and not feel harrassed when I do. That’s the real meaning of equity. Equity, as it's considered through a DEI lens, is about equality of *opportunity* and *fairness*. This is not a new idea in education. It is why we provide accommodations for students with individualized education plans in primary and secondary schools. It is why we create need-based grants so qualified, poor students can attend college. It is also why some DEI offices create resources on campuses for underrepresented students who may feel like they do not belong there and why some DEI offices help professors be more aware of the role unconscious bias plays in who gets offered positions in labs or co-authorship on papers. Equity certainly does not mean treating everyone like they are the same, but it does mean treating everyone with the same respect.

Critics of DEI imagine it to be the enemy of merit and meritocracy, but that’s completely backwards. Confusing the accomplishments of a kid whose family has invested more than a million dollars in independent schools, college consultants, tutors, private sports coaches, and more with merit makes a mockery of the idea of meritocracy. Merit is not the same as achievement. Achievement reflects talent, of course, but it also reflects resources and opportunity. Merit reflects what a person has accomplished by taking into account what they had to overcome to do so, by taking into account the distance they traveled to get there.

When DEI offices talk about **inclusion** they are talking about removing the unnecessary and unfair barriers to success on campus. We all perform at a higher level when we feel like we’re working in an environment that values us for who we are and treats us all fairly. That might mean providing funding for Pell Grant recipients to buy a winter coat. It might mean providing avenues for a student of color from a rural community to find students from a similar background. Or it might mean helping professors to identify and check their own biases in the hiring process in order to start correcting what remains the least diverse group at many universities—by which I mean the faculty.

I will close by saying that these attacks on DEI offices should be understood for what they are: excessive and ideological attacks on some of the basic principles of our democracy and of academic freedom. I remain hopeful that they will prove to be almost completely ineffective.