Resolution Condemning the Preemptive Closure of Offices and Enterprise Efforts in Support of Diversity, Equity, and Inclusion and Calling for Robust Engagement in Shared Governance Processes

Synopsis: On February 14, 2025, institutions of higher education received a "Dear Colleagues" letter from the United States Department of Education for Civil Rights¹ demanding compliance with a broad interpretation of the Supreme Court's 2023 decision in the Students for Fair Admissions v. Harvard (SFFA) case in 14 days with the assertion that non-compliance could lead to "potential loss of federal funding." On February 27th, in advance of this deadline, the Ohio State University under the guidance of President Ted Carter preemptively complied with this demand, sunsetting the Office of Diversity and Inclusion and the Office of Student Life's Center for Belonging and Social Change, among other changes to the work for equity and inclusion at Ohio State. These changes had immediate consequential effects on the lives of students, staff, and faculty. Moreover, they occurred without consultation or guidance from key, shared governance bodies or from individuals whose expertise, research, and scholarly work lies squarely in these domains. Considering this, and given that further incursion on these values is occurring at the state level, the Faculty Council, as the representative body of the Ohio State University faculty, proposes the following resolution:

Whereas the Ohio State University was founded as a land-grant university, and charged with a tripartite mission of teaching, research, and engaging with communities across the state to elevate the people we serve; and

Whereas nearly 25 percent of the citizens of Ohio are from minoritized racial or ethnic groups; and

Whereas the motto of the Ohio State University is "education for citizenship," and President Ted Carter has announced an "Education for Citizenship 2035" initiative²; and

¹ DOE's <u>Dear Colleague Letter SFFA v Ha</u>rvard, 14 February 2025.

² Education for Citizenship 2035.

Whereas key components of President Carter's strategic plan are accessibility and student success, neither of which is achievable without attention to inclusive excellence and the diversity of our student populations and all Ohio citizens; and

Whereas citizenship includes working with diverse individuals and groups; and

Whereas dialogue across differences is a central component of engaged citizenship; and

Whereas our students, city, state, and nation are increasingly diverse³ and thus our students must be prepared to work and collaborate effectively with a range of populations; and

Whereas Ohio State is committed to the cultivation of diverse voices and experiences that promote intellectual growth and expand the boundaries of our collective understanding; and

Whereas in 2023, some 35 percent of the Ohio State student body was non-white⁴; and nearly one-third of Ohio's K-12 student body was non-white⁵; and

Whereas there continue to exist substantial class-, gender-, and race-based student success gaps at Ohio State, including but not limited to undergraduate retention and graduation rates⁶; and

Whereas supporting individuals with disabilities at Ohio State is a significant part of our work towards inclusive excellence; and

Whereas today individuals with disabilities number approximately 50 million, and represent the largest underrepresented group in the United States⁷; and nearly one of five undergraduate students and one of eight graduate students at Ohio State have a documented disability⁸; and

Whereas educating the OSU community about challenges facing those with disabilities is a critical component of making real Ohio State's stated commitment to creating an inclusive campus environment; and

Whereas Ohio State functions from a set of "shared values," which include excellence and impact; diversity and innovation; inclusion and equity; care and compassion; and integrity and respect⁹; and

³ US Census Bureau, *United States Quick Facts*, 2025.

⁴ Ohio Department of Higher Education, <u>Headcount Enrollment by Race & Ethnicity, by Campus</u>, 2023.

⁵ Policy Matters Ohio, State of Ohio Schools, 2023.

⁶ For example, for the last five years for which we have data, the average gap in 6-year graduation rates between white and African American students has been slightly more than ten percentage points. Pver a similar time period, Pell grant recipients are seven percentage points less likely to graduate within six years than the average student. See OSU's data dashboard, Benchmarking: Student Outcomes Dashboard, for more information.

⁷ Insight into Diversity, *Elevating Disability Support Services on College Campuses*.

⁸ OSU Student Life Disability Services, *About Us*.

⁹ OSU's <u>Shared Values</u>.

Whereas the announcement made on February 27th, 2025, to eliminate the Office of Diversity and Inclusion and the Center for Belonging and Social Change weakens Ohio State's commitment to these shared values; and

Whereas the Office of Diversity and Inclusion was built on a powerful legacy of impactful efforts to overcome structural barriers to equality and foster excellence by providing a range of precollegiate, undergraduate, graduate student and employee programming, including programs supporting women¹⁰, LGBTQ-plus students¹¹, students of color¹², and regional campus transitioners¹³, as well as supports for under-represented groups among faculty and staff.

Whereas the Office of Diversity and Inclusion also played a pedagogical role, educating the Ohio State community on how to effectively create equitable and inclusive learning and working environments for all; and

Whereas the Center for Belonging and Social Change, built on the tireless efforts and leadership of Dr. Patricia Cunningham¹⁴ and others, has contributed to the visibility and support of countless first-generation students, LGBTQ+ students, students of color, Appalachian students, and veteran students, truly ensuring that all are welcome and can thrive at the Ohio State University; and

Whereas this elimination of the Office of Diversity and Inclusion and the Center for Belonging and Social Change places employees (including students) in fiscal and academic jeopardy, and sends the message that their work is not valued; and

Whereas the elimination of employee positions, roles, and jobs in the Office of Diversity and Inclusion and the Center for Belonging and Social Change has exposed valued members of our Ohio State community to tremendous uncertainty and stress, subjecting them on very short notice to the uncertainty of institutional reorganization; and

Whereas President Carter has failed to communicate concrete plans for continuing the legacy of inclusion, excellence, equity, diversity, and support for our students, staff, and faculty in the absence of the Office of Diversity and Inclusion and the Center for Belonging and Social Change; and

Whereas eliminating diversity, equity, and inclusion supports at the Ohio State University undermines our reputation as one of the world's most inclusive learning communities¹⁵ and has already resulted in cancelled speakers and events and the alienation of our students,

¹⁰ For example, OSU's The Women's Place.

¹¹ See ODI <u>LGBTO Resources</u>.

¹² For example, ODE supported communities of color via the BYMOC Collective; the Bell National Resource Center and various scholarship and leadership programs. The ODI also supported programming aimed at opening up STEM opportunities for minoritized groups.

¹³ ODI programming for transition students.

¹⁴ https://wgss.osu.edu/cunningham-appalachian-student-scholarship

¹⁵ See the OSU University Archive's <u>Carmen Collection</u>.

employees, alumni and community^{16,}, including our Black Alumni Association and our Asian and Pacific Islander Alumni Associations; and

Whereas Ohio State's abandonment of diversity, equity and inclusion measures compromise our research and teaching by sending the message that these values are not worth standing behind and chilling our efforts to teach and do research on such issues; and

Whereas anticipatory compliance is not an Ohio State shared value; and

Whereas The Ohio State University, together with 13 other universities, in the Inter-University Council (IUC) collectively agreed not to oppose SB 1, and this agreement took place eight days before the bill was even introduced, which is concerning; and

Whereas the federal government's anti-DEI executive orders were immediately challenged by legal experts, have not been enacted into law, and are now the subject of multiple lawsuits; and

Whereas the February 14, 2025, "Dear Colleague" letter and the follow up FAQs from February 28, 2025, acknowledge that the federal guidance "does not have the force and effect of law and does not bind the public or create new legal standards;" and

Whereas the decision to acquiesce pre-emptively to political pressures by sunsetting these offices was made with no transparency or consultation with campus stakeholders (staff, students, and faculty), particularly those most knowledgeable about inclusive excellence, violating the norms of shared governance and our shared value of respect; and

Whereas "shared governance" is an expressed value of the Ohio State University, and the Senate Diversity Committee is a key component of the shared governance body; and

Whereas the Senate Diversity Committee is comprised of faculty, staff, and students with expertise and knowledge in these domains and whose duties and responsibilities per the University Faculty Rules and Ohio Administrative Code 3335-5-48.16 include: the study and evaluation of issues affecting diversity from an overall university perspective; being informed on external requirements on the university affecting diversity; advising the president, the executive vice president and provost, the associate vice president for human resources, and the vice president for student life about the institutional climate, policies, and priorities for ensuring justice, fairness, and equitable treatment to all members of the university; and educating and informing the university community on issues of diversity, including the letter and spirit of all Ohio and federal rules regarding members of protected classes¹⁷; and

¹⁶ See Sheridan Hendrix (2025), "<u>Student leaders, alumni lambast Ohio State's DEI cuts as 'comfortable cowardice'</u>" *The Columbus Dispatch, 4* March 2025; and Marchem Pfeiffer (2025), "<u>I am losing my job at Ohio State. Bridges we fought for will crumble if DEI falls,"</u> *The Columbus Dispatch, 4* March 2025.

¹⁷ Ohio Administrative Code <u>3335-5-48.16</u>: Diversity Committee.

Whereas the Senate Diversity Committee was never consulted regarding the impacts of preemptive compliance and hence the requirements for and affordances of shared governance were ignored.

THEREFORE, BE IT SO RESOLVED THAT the elected faculty senators:

- Condemn the preemptive closure of the Office of Diversity and Inclusion and the Center for Belonging and Social Change; and
- Affirm Ohio State's history as one of the world's most inclusive learning communities, built on the labor and legacy of diverse faculty, students, and staff who have led these efforts across time¹⁸; and
- Stand in solidarity with students and staff affected by the closures; and
- Affirm that "attending to the well-being of individuals and communities" and "putting people at the center of all that we do"
 ¹⁹ means supporting campus community members from all backgrounds; and
- Affirm the shared values of the Ohio State University and the mission of "Education for Citizenship" as expressed in the President's Strategic Plan, which demand that we uphold our commitments to belonging and inclusion; and
- Affirm that effective shared governance is characterized by institutions, processes and cultures that promote genuine consultation and deliberation; and
- Affirm that effective shared governance requires continued hard work, open communication, trust, and respect; and
- Call upon the President and other university leadership to clearly communicate strategy and plans for moving forward with inclusive excellence work at Ohio State, and for creating transparent structures of accountability; and
- Call upon the President and other university leadership to engage collaboratively with Senate and shared governance bodies, as outlined in Ohio Administrative code. Use the knowledge, expertise, and experience of faculty, staff, and students to build inclusive teams which can help the university proactively plan and implement programming to maintain our widely communicated commitment to equitably supporting under-represented populations at The Ohio State University.

¹⁸ See OSU University Archive, *The Carmen Collection*

¹⁹ See OSU's *Shared Values*. https://www.osu.edu/shared-values

Resolution passed March 18, 2025.

40 in favor; 11 opposed; 9 abstained. Participation: 60 out of 71 faculty senators.