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Minutes of the Regular Meeting of the Academic Council February 18, 1999

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The Academic Council met in regular monthly session on February 18, 1999 from 3:45 until 5:00 p.m. in 139 Social Science Building with Professor Robert Mosteller (Law) presiding.

MINUTES

The **Chair** began the meeting by calling for a vote on the minutes of the meeting of January 21st. They were **approved** by voice vote as submitted.

ANNOUNCEMENTS

The **Chair** said that he had two announcements to make. The first one is that last month he mentioned that it was planned to elect the Faculty Forum editor at the next meeting on March 25th. As of today, it has not been possible to secure a candidate for the position and soliciting people who are interested. He again asks the membership to contact him if anyone is interested or if they know anyone that is interested, or if there are questions about it or ideas for people who members think will be good. He hopes that by the time the agenda for the next meeting is sent out, there will be one or more candidates. The second announcement is that there will also be a second election on March 25th and for that there is a candidate. It's for secretary of this organization. Tilo Alt is interested in serving again, and he will stand as the candidate. If members would like to nominate someone, they should contact the Council office and make sure to secure the agreement of the person beforehand. The matter will be voted on in the next meeting. At this point Prof. Mosteller called on Kathleen Smith who is chair of the Provost Search Committee to give a brief report on the status of that search.

Prof. **Kathleen Smith** (Biol. Anthropology) said she would like to tell members where her committee has been, very vaguely where matters stand, and leave it at that rather than say anything about where things are headed in the near future.

The committee, as is well known, started meeting last September. It met with all of the senior officers, all of the deans; individually, [committee members] met with all the people currently in the Provost's office and as well spoke to any individual that called with an opinion about the search or the position. Through that process, the committee received on the order of 150 names; some of those were applications, some were nominations. Some were names generated by the committee by calling around to various universities to look for recommendations. Bob [Mosteller] was particularly helpful in calling a number of chairs of faculty senates and academic councils at a variety of universities to get hints on who they thought would be useful for us to pursue.

In November they began sorting these names and really trying to find out whom they were interested in investigating further, and at that point they were fairly overwhelmed by the number of names. There were a lot of people the committee knew very little about. They simply had a name and a position, and they didn't know about their degree of interest and didn't know really much about their background. Internally, they received on the order of twenty or so nominations for people at Duke; about a third of those declined further consideration and they then spoke to all the remaining on-campus people who expressed an interest in the job. After those interviews, after a number of other discussions, the committee began to develop a short list for the internal candidates.

In the fall, mainly in response to this very large number of names and nominations, it was decided to hire a search firm to help them really to get through and assess these names. The company is Baker, Parker and Associates in Atlanta; her committee has worked exclusively with the senior partner, Jerry Baker. Jerry was recommended to them by Paula Burger from Johns Hopkins. She thought Hopkins has used this firm five or six times in the last two years. They're very impressed and the firm has proved very useful. The committee asked him to do basically three things: one to really help them with this group of names, help them assess interest, contact nominees and see if they had any interest, get their CVs and find out more information, and really let them have a realistic view of these people. Second, to give a reality check to see whom they should be considering that they were not; and third, they had him talk to a subgroup of their internal candidates, partially to calibrate their own impressions with his impressions and to calibrate his judgment and their judgment, and also to get his view of how these people stacked up with the external pool that he was aware of. She thinks that he has helped them tremendously. Basically, through January and over the last month, the group

of external people has been narrowed to around ten, twelve. There's a number of people still being investigated and interviews of the external people are being started.

There are still internal people in the pool as well as the external people. She thinks the committee is very happy with the list of candidates and she hopes to be reaching their short list that Nan [Keohane] asked the committee to give her sometime before the "Final Four." They figure if they time it right, nobody will be paying any attention with a little bit of luck. As a final comment, she felt constrained to say that her committee is one of the best functioning she has ever been involved in, and that's the faculty, the students, the administrators and trustees on the committee. Everyone is really contributing; it's a committee that works extremely well together and she feels very good about the way faculty interests are being represented and everyone has reason to be optimistic.

HONORARY DEGREES

The **Chair** thanked the presenter and called the Academic Council into **executive session** for the purpose of voting on the nominations for honorary degrees made at the January meeting.

Having gone back into **open session**, the **Chair** turned to the next matter of business, namely the proposal for tenure lines in Women's Studies. It is the second meeting on this matter. The resolution was passed out last time. The Chair read the resolution before opening the floor for discussion.

THE RESOLUTION

WHEREAS a Report of the Dean's Ad Hoc Advisory Committee on Women's Studies recommended that tenure lines be added to the Women's Studies Program, and

WHEREAS, this recommendation has the support of the Dean of Faculty of Arts and Sciences and has been reviewed and approved by the Provost's Advisory Committee on Academic Priorities and the Provost, and has the support of the Executive Committee of the Academic Council,

THEREFORE, the Academic Council approves the request that tenure lines be established in the Women's Studies Program and that this recommendation be forwarded for consideration by the Board of Trustees.

DISCUSSION

Prof. **John Staddon** (Psychology, Exp.) came to the lectern to introduce a motion to recommit the Resolution to the Ad Hoc Advisory Committee. He read somewhere that the [English philosopher] Francis Bacon said that one should never indicate one's intentions in advance. It gives your enemies a chance to prepare and it blocks the opportunity for you to make an honorable retreat. So, he made a mistake by mentioning to Bob Mosteller that he had a couple of minutes worth of stuff he wanted to say about the Women's Studies proposal. He then came back and suggested that he write something which now sort of commits him to follow through on this. Nevertheless, it seems to him a good idea if Council can have a real debate on what is after all a rather momentous decision. This is the first step towards the establishment of the Department of Women's Studies, which will command considerable resources, three tenure lines are a pretty serious business. Many of his colleagues in other departments would dearly like some of those tenure lines, and therefore he thinks it would be a good idea to have a little bit of debate on this.

He proposed to look at the pros and cons for such a proposal, and he's thinking now the department because that's really where things are headed. First off, of course, a lot of people are doing this. This is a very popular area, it's certainly a growing trend in the country. You just need to go to Barnes and Noble and see how many books on this topic you will find. So it's certainly something in line with Duke's tradition of really doing anything that others have not already done. However, he would say that Duke seems to be going well beyond what many of those with whom it likes to compare itself are doing, because, as he recalls from Cathy Davidson's talk, Harvard has only one tenure line, is that correct, in Women's Studies? And Duke proposes to be three times better than that; and the second reason to do it obviously is that gender is an important matter in human society. Nobody can deny that this is an important thing to study; but there is a third reason in the Report that he thinks is no reason at all, and that is that Women's Studies at this university is marginalized. There are other disciplines which are also marginalized, for example, entomology. We have no program in entomology, there are as far as he knows no tenure lines in entomology. There are a great many more insects than there are females in the world, and indeed the bio-mass of insects is as he understands in excess of the bio-mass of mammals of all types. So it seems clear that this marginalization of entomology is intentional, i.e. it's not an accident that we don't do it. We recognize the importance of insects, we just don't think it should be a priority for Duke. So the issue is not whether this area is marginalized. The issue is whether this is justified or not. Well, in the handout that he provided members, he took three

quotes from the description of this area by the Ad Hoc Committee that reported to the Dean, because it seemed to him that they summarized a considerable division of view in this area as to what they're really about, as to what is really going on and so he hopes everyone has it in front of them, but he'll read it out loud.

He is starting from the bottom and moving up. 'In political science, the way gender matters, concerns the extent to which political theory may assume . . . values that better represent men's interests than women's.' (Ad Hoc Report, p.4) And there are other things in the report, things like 'The aim of Women's Studies is critical and prescriptive.' He predicts that this is not really a proper aim for an academic department. It's as if a department of Judaic Studies existed not to study the history of the Jews, but rather to advocate Zionism, or a department, or a program in Victorian literature existed to advocate the practice of colonialism and so on. In other words, it's a political aim, not an academic one. The second quote says 'Scholars . . . disagree about . . . the extent to which truth and knowledge are themselves best understood as social constructions.' (ibid., p. 4) He thinks the disagreement is not very great, but it certainly does not exist at all in science and social science. If you look at certainly natural science you will not find in the debate about the structure of DNA, [anyone] saying that maybe there isn't any DNA or DNA is a social construction. What he means is that there is an assumption that there is an answer to these questions whether or not we have it, and certainly some answers can be ranked better than others. So this is the philosophical position which seems to him inimical to any kind of social science. Yet social science is the aim of what he takes to be the primary [aim] of this program. He is quoting now, 'The purpose of women's and gender studies program is to investigate the ways sex and gender matter within a society.' (ibid., p. 4) Fine, that seems like a very straightforward aim and a reasonable one for a social science. The problem with that, as several people have mentioned in the past, is that one of the main contributors for such an understanding, namely the study of gender and biology, has never figured in this program. Cathy Davidson last time very generously acknowledged that this was a relevant topic, but the fact is this objection has been around for several years and the report took no cognizance whatsoever of it, either because of the composition of the committee or because of the predispositions of the people on it towards a social constructionist view of gender, he doesn't know what. But in any case, there is no real identification or wish of the people who wrote the report to involve in any way biological considerations in their understanding of 'the way that gender matters within a society,' and he thinks that's a great

omission. So, his conclusion is that this program as presented is just not ready for prime time. Not that he's objecting to the whole idea of Women's Studies, he just thinks that this is, as presented, not really a fully thought out proposal and, therefore, what he would like to suggest is an alternate motion. Bob [Mosteller] knows the legal form of this. What he would like to suggest is that the Council take no action on this resolution at this time, but rather return this report just like a grant proposal that is approved but not funded. Return the report to the Ad Hoc Advisory Committee with two suggestions.

The first suggestion, this is his suggestion, he doesn't know if the Council will agree or not is that someone who is expert in gender biology be added to the committee, and we have many candidates in the university, people who he feels sure would be willing to serve. Second of all, [to add] someone expert in statistics and public policy. Since this is clearly a major interest of some of the faculty in this program. Finally, the second suggestion is that the report be rewritten to reflect the views of this newly reconstituted committee plus whatever suggestions emerge from the debate in this Council. He thinks adding a biologist would help this committee revise their report to accommodate biological issues in an integral way, and the statistician would allow the program to incorporate a fuller understanding of the very considerable complexities involved in making inferences about things like gender discrimination on the basis of population statistics. He is very confident that this revised committee, this changed committee could come up with a new report that would command considerable enthusiasm from this Council.

Bob Mosteller wished to explain what he understood to be the way to proceed on this. There is a motion on the floor that is a motion 'to commit with instructions.' In order to go forward, that motion needs a second. If it doesn't get a second, it dies. If it does get a second, it's debatable. It brings open the full question and then Council would vote first on whether to recommit. If that passes that ends the matter. If that fails, he will turn to the resolution. There is a motion, is there a second? The motion is seconded. The floor is now open to debate.

Prof. **Bill Reddy** (Social Science) rose to say that instead of nitpicking the report the virtues of the whole idea itself should be looked at which are self-evident. Women's Studies and gender studies transformed a number of disciplines in the last few years, in the last few decades and certainly transformed the work he does in both disciplines he practices in, and if they don't get these lines and move forward in this

way, it will be difficult to maintain the quality of the program that is already in place. Thanks.

Prof. **David Sanford** (Philosophy) said he would like to talk about the claim that Women's Studies is antithetical to science. By recalling briefly that he was on a search committee when Women's Studies couldn't make its own appointments, there was a possibility of a joint appointment with Political Science about ten years ago. A person to whom an offer was made was a Philosopher of Science (Helen Longino), and he thinks absolutely no one in the Philosophy of Science [field] regards her as antithetical to science. There may be opponents to science out there but not in Women's Studies at Duke.

In the absence of any other comments, **Bob Mosteller** called the question, i.e. whether to recommit with instructions to the committee by voice vote. The motion **failed**. He asked if anyone wants a division, if so, he will be happy to do so. He asked if the assembly was now ready to vote on the Resolution, or if anybody wanted to have further discussions on the Resolution?

Prof. **Richard Heitzenrater** (Divinity) just wanted to be sure that this is a process that is ongoing in terms of self-evaluation and development and that the discussion at the last meeting about the nomenclature of women's studies and gender studies will continue and will not be closed by this vote.

The **Chair** asked and **Cathy Davidson** confirmed that that was correct. He asked if Council was ready to vote on the Resolution as previously moved. The motion to approve tenure lines for Women's Studies **passed** by voice vote.

Prof. **Mosteller** now proceeded with the final order of business. It is something he is looking forward to with great pleasure and that's the discussion by Dr. William Bowen of research that went into the writing of the book, *The Shape of the River: Long Term Consequences of Considering Race in College and University Admissions*. Dr. Bowen was professor of economics and Provost at Princeton and was President of Princeton for 16 years. For the past 10 years, he has been president of the Andrew W. Mellon Foundation which focuses much of its work on higher education. Dr. Bowen will spend the first part of his time giving a presentation of some of the major findings and then throw the meeting open to questions.

Dr. Bowen said that it was an unanticipated pleasure to be back hearing faculty debate matters like tenure lines and science and all of these things. It did take him back. If he

thought of how many faculty meetings he chaired where he was the President, had the 'privilege' (in quotes) of chairing the faculty. They are emblazoned as members can imagine on what is left of his memory. He referred members to his scheduled talk later that evening and said it might be best— if this is alright—to use the time to focus this afternoon on whatever particular issues would concern the faculty gathered here. Derek Bok and he decided after much soul searching, he might say, that following thirty years of experience with race sensitive admissions policies in almost all of the academically selective colleges and universities in the United States, it was time to try to take stock, to look as clearly as they could at how these policies had actually worked, what their effects had been on the individuals who have been involved with them, and as best one could gauge it, on the larger society. They had both been involved in their own institutions in working hard to increase diversity. So they didn't come to this question with no views, in fact their views were very much on record. At the same time, he would say that they both felt that the assumptions that they had made in developing the policies were largely untested, and while they thought that certain kinds of results had [been] obtained and would be found, they were by no means sure of that. He remembered very well the two of them looking at each other at one point early in this process and saying what would they do, glory be, if a lot of things that they had really believed and had been the basis of some of the programs they had developed were just wrong or were unverifiable or whatever. They said, well, they would say that because he thinks this whole contentious, at times rancorous debate has suffered from an unwillingness, reluctance to ask how has it really worked out. What has been good, what needs a little more work, where can we improve, what really ought to be set aside. So they felt that it was better to try to find out and let the discussion go forward in faculty such as this one on the basis of at least some facts that weren't available before. Well, now what were these facts.

They set out to look closely at the academically selective sector of American higher education. Roughly 20% of American colleges and Universities are academically selective in the sense that they have many more applicants for admission at the undergraduate level than they have places. They focused on these institutions, of which Duke is one, Chapel Hill here is another; not because they have any claim to moral superiority or anything — he doesn't believe that for a second, but because it's within this sector the debate on whether or not you should take race into account has bite and is real, because you're picking and choosing among a lot of very good people, so the issue has consequence in a way that really doesn't or doesn't to the same degree apply to a place that

has enough spots for all the qualified candidates. And then, of course, the graduate and professional schools of law, medicine and business are also selective. Well, Nan [Keohane] will remember that when they first embarked on this project, they went to the presidents of what turned out to be twenty-eight academically selective schools and asked if they would be interested in cooperating, willing to cooperate by providing the records that we needed.

Now, what kind of records did they need? They needed admissions records, so that they would know what these students, minority students and other students had looked like when they were admitted, what their SAT scores and their high school grades, and their parents' backgrounds and all of that were. How they did in school, did they graduate, what did they major in, what grades did they get, were they athletes, and on and on and on; and then finally they were interested through survey techniques in learning how these people had done afterwards in what coaches love to call the game of life. And how many have gone on to graduate school, to what graduate schools, with what results, what occupations did they hold, how much money did they make, were they involved in civic life, in what way, were they just passive participants or were they actively involved. And what did they think? They had been there. Looking back on the educational experience they had had in terms of all sorts of things: faculty teaching, residential life, but also diversity and the educational effects of diversity. So that was what he and his co-author set out to assemble and it ended up being this mass of information pulled together in something called the 'College and Beyond' database. Three entering cohorts were studied. Those who entered in the fall of '51, those who entered the year he entered college and of course he had to see that cohort, those who entered in the fall of '76, and this, by coincidence, the year their son entered college. That was a coincidence. The fall of '76, because by that time, almost all of the 28 private or public institutions in their study had been involved in recruiting minority students long enough so that there were enough of them so one could do a serious statistical study and have at least some confidence that you weren't just repeating anecdotes. And then finally the fall of '89, because it was the most recent group that they could study, giving them 6 years to graduate and at least having made some gestures towards graduate school and all the rest— so these three slices in time: fall '51, fall '76, fall '89.

Twenty-eight colleges and universities, twenty-four private, four public, though that figure is easily misunderstood and has been in terms of the weight of the private and public student bodies in the study since the public universities, the

four public universities in the database, are so much larger, Chapel Hill, Michigan, Penn State and Miami of Ohio that together those four contribute forty percent of all the matriculates, though they are only four of twenty-eight. Liberal arts colleges, women's colleges, co-ed schools, Tulane in the south, Tufts in the northeast, Denison, where he was an undergraduate, Oberlin, and on and on and on. Roughly speaking, it can be said, and in fact they demonstrated that these twenty-eight schools are really surprisingly representative of this academically selective sector, not by any means of more than that, but of this sector. He won't take the audience into the findings. He will say a couple of things in terms of the most gross form of summary and then we can talk about whatever particular aspects of this members would find of interest or consider to be of help as they think about where their own university ought to go.

Colleges and Universities when they adopted these policies in the late 60s and early 70s had two principal objectives in mind, no doubt some others as well, but two principal objectives. One was to create student populations that would be richer in terms of their educational value, [e.g.] better learning environments because they were more diverse. Some of you will recall that when Powell wrote the decisive opinion in the Bakke case, it was on the grounds of the educational benefits of diversity that he rested his conclusion that, done the right way, and we can come back and talk about what that means if you want to, that race sensitive admissions was permitted but there was essentially no evidence, no evidence at all as to whether learning through diversity was a slogan or whether there was anything one can claim even with rudimentary [knowledge] that would tell us about whether it was occurring. And the second objective was to contribute in some manner to the flow of talent, minority talent, into every walk of life, the mainstream of America, business, the professions, academia, on the grounds that these colleges and universities, if you looked at their charters and their histories, had always believed that that was an obligation of theirs to make that kind of contribution to the citizenry, and he thinks certainly in the late 60s and after that there was widespread agreement that the degree of racial stratification was really a very serious thing, and that these leading institutions ought to be, to the extent that they could, contributing by helping to form a larger black and Hispanic minority middle class. So that was the second objective.

Just to cut through umpteen multiple regressions and too many charts and even more tables, he would simply say that they found with remarkable consistency and he'll come back to that in a minute, that the participants in this process both white and African American, the two populations on which they

focused, do indeed believe and recount and [attest] that they learned a lot through the kinds of diversity that all of these schools worked so hard to build— not in every case to be sure, and was there pain as well as gain, of course. Certainly. But that they had learned a lot. They also found that in terms of graduation rates and majors and professional degrees, boy do these people earn graduate and professional degrees [!], the numbers are really staggering. Fifty-six percent of all seventy-six matriculates both white and African American earned an advanced degree of one kind or another. 56%!, that is an astonishing statistic. Forty percent of the African American graduates earned either a professional degree in law, medicine and business or a PhD, thirty-seven percent of their white counterparts. They went on and made a lot of money, they were 38 years old by the time they interviewed them. They were already, no doubt, many of them, particularly the men, overpaid. But they were certainly doing well by national standards by as well as any other statistic that would occur to a labor economist to look at.

In many ways, most gratifying to him was the civic involvement which was simply extraordinary. And again nothing had really been known about this and they probed, they spent a lot of time and effort and money really probing how much civic involvement there really was, and part of this debate was on whether people who were privileged to attend these schools and participate in these programs just go off and live in Scarsdale or some place and play golf or whether they are actually involved in their own and other communities. Again, nobody knew, there was simply no evidence, and they found an amazing degree of civic involvement, leadership and so on, disproportionately high among the African American men, that much maligned group, he might say. They thought that was important and very encouraging.

Problems? of course. There were instances in which interactions had not been beneficial. He supposes the most troubling single finding which deserves a lot of study and thought is the finding that in terms of grades, rank in class, the African American students, matriculates, did not do nearly as well as their white classmates and that only part, about half of the gap in average rank in class could be accounted for by the things that they could measure: by parents' socioeconomic status, by high school grades, by the SATs that the students brought with them to school. That there was a gap, [if memory serves] 16 or 17 points in average class rank that remain[s] after you controlled as best you could for these other factors. This is a phenomenon noted by others, they weren't the first by any means to note it. That's sometimes called underperformance, though using that word which is the

word that has been sort of adopted to describe the phenomenon, doesn't mean these students aren't trying or are lazy.

Members can imagine first that they did a lousy job of controlling for pre-college characteristics, and he thinks they probably did, not because they were lazy, but just because it's very hard. All they really had were the socioeconomic status measures, they knew what high school grades they had gotten and they knew what kinds of schools they had gone to, they knew their SAT scores but they didn't know one hundred other things that will occur to you immediately as very important: what classes they took, did they have advanced placement, what was their access to computers. On and on and on. His guess, though it isn't proven, is that if you were able to control much better for some of these other factors that are important in how the students do, that some piece of this gap would go away, and he and his co-author are commissioning a good deal of additional research that is intended to understand that a lot better as well as help them identify the characteristics at secondary school levels that really do seem associated with success for students of all sorts which is obviously a very useful thing to know. So that's one possible part.

The second is what Claude Steele, the Stanford psychologist has referred to as stereotype vulnerability. The notion that if you put people into a very tough situation and you confront them with the possibility of being disappointed and disappointing others, then you sort of frighten them a bit as happens in highly competitive academic environments for everybody. When he arrived as a graduate student at Princeton all those years ago he was terrified as he thinks any sane person would have been. The only member of his cohort who failed was the only one who wasn't terrified. There may be a lesson in that too. Claude Steele finds and in other laboratory situations as well, women in math and so forth, that people subject to stereotyping can really have their performance hurt by the phenomenon. He is continuing to do research in this area. Then, however, there's a third set of factors that he thinks is probably quite important. Pat McPherson who a number of people in the room will know or know of [as] the longtime president of Bryn Mawr, extraordinarily able academic and administrator who now fortunately for him works with them, is absolutely convinced on the basis of her students at Bryn Mawr all these many years that one factor that effects dramatically how fully students take advantage of their potential is their sort of confidence in themselves and in their setting, how comfortable they feel. Do they agonize everyday over whether they ought to be there or whether it's not right somehow or whether people are looking askance at them and that type of thing. There are a lot of at least

anecdotal vignettes in the book that really do suggest strongly, and he is sure that there are people in this room who could add their own vignettes, that experiences just living on the campus and in class can have a big impact. He'll just tell his audience one story that he wouldn't tell tonight he doesn't think, but who knows. He was on a talk show in Chicago. Something he does not recommend to everybody.

Anonymous interjection: Chicago or the show?

Dr. **Bowen** replied that he links the two. After they had had this conversation, a person called in, it was one of these call-in shows, and he says, 'you know, I hope you Mr. Bowen, and the audience, know what it was like to be a black student studying physics at MIT in 1975.' This guy said it was hell. He says 'I was tortured, I had this jerk for a professor who didn't want me there, didn't think I could learn anything, was so unbelievably obnoxious that if I hadn't wanted to get through, he didn't say 'Sprewell', but I would have throttled this guy.' And he said 'did that make it harder for me? Sure of course it made it harder for me. I got through, I was determined I was going to get through' and he said 'I wasn't the only one who had that experience.' We will all know that there are other experiences where people are enormously helpful and supportive and kind. Sometimes too supportive and sometimes too kind. But anyway, all of these interactions in the classroom and on the campus are a part of this process and it needs to be understood better. And he'll make only one quick comment as to why this is important. He doesn't have to tell this group that this is important, but he would like to give his audience one other finding that may surprise it, it surprised him a bit. Academic performance as measured so crudely by rank in class has real consequences. Occasionally you hear in this debate, there isn't any incentive to perform well by minority students because they know they're going to be taken care of. They don't have any incentive to perform well. Bologna! Bologna! The effects of being in the bottom third of the class, vs. being in the middle third vs. being in the top third are huge. For everybody, for white students, i.e. as a person who always believed that academic achievement mattered, he was gratified to see this. They darn well should matter. It just isn't true that the bottom third are all out there rich happy capitalists and that the top third are all out there grieving intellectuals suffering someplace. That just is totally untrue. The economics, the straight economic rewards of being in the top third are considerable, and straight economic penalty for being in the bottom third is considerable. It's not a good thing to be in the bottom third, it really isn't, in terms of all of the outcome measures that they were able to study, including civic

participation. This was the most troubling aspect of the whole set of data as it were that they found, and he is glad to have this opportunity to say this. The foundation is eager to understand better what is going on, because there are clearly situations in which this does not happen. One is this program they themselves have sponsored, the MMUF, the Mellon Minority Undergraduate Fellowship Program. There were enough [MMUF] students in the database because of the richness and the scale of this whole thing; there were 90,000 matriculates in this database. It was possible to compare the MMUF folks with the other people who looked sort of like them except they weren't in the MMUF program, and if you look at rank in class that way, it gives predictors. The MMUF people did great. Now, of course, this is partly selection, that is, whoever is choosing these people at Duke as well as other places is choosing people he thinks are going to do well, so it's sure partly [a] selection phenomenon. He thinks it's more than that, however. It's also the kinds of attitudes that are built into the program and all the rest.

All he is saying is that they are open to rigorous, well thought out programs that have evaluation components by people who want to look at this issue. They're also open and interested in efforts to think more about pre-collegiate preparation and how to get the right folks into these programs. They've done nothing but begin this whole thing if that. There's so much to do. He is pleased that their trustees who are a pretty conservative lot have really said yes, this is such an important set of issues that if you can find good people to do careful work, that they will support it. So this is a kind of invitation to let them know what thoughts you have.

He is going to say this tonight, so he doesn't have to say it now: the proposition that the data destroyed in the study is the so-called 'fit' hypothesis advanced by some of the critics of these programs, which says that you should not entice a minority student with an 1100 SAT score to Duke, because that student will be overwhelmed by being at a school where the average SAT is a lot higher than that. Better if that student had been allowed to go to a school where everybody had an 1100, the average is 1100. Again, the database is big enough and rich enough that we can do all sorts of comparisons but there's nothing in it. When Colin Powell reviewed the findings in the book which he did very carefully, he's very interested in the subject, he shook his head and said, 'you know, it's a clear lesson: Go to the best place that will take you.' That is one of the conclusions. Well, he is going to say a lot more things this [evening], and if there's a minute for questions he would be glad to take them. Comments?

Prof. **Rhett George** (Engineering) asked if the social climate for minority students shows any changes since they first started [their investigation].

Dr. Bowen replied that it does so quite dramatically. They were able to compare the '76 and the '89 entering cohorts and as, again, they were saying at this little lunch earlier today, when all of this started back in the late 60s and early 70s when he was there as were many of the people in the audience, they didn't have a clue as to what they were doing. They all thought this was going to be easy and that somehow everything was going to work out just fine and all they had to do was recruit the right people and they would thrive, and everything would be fine and of course that was just not true. If you compare the responses to almost any set of questions on the survey between the '76 and the '89 people you'll find that the '89 people think they're learning more from the diversity in their campuses, that their campuses are contributing more to what they learn and these responses, he might say, differ from '76 versus '89 responses to a whole set of other questions, so it isn't just that the newer people are happier. It's differential and he thinks that, yes, colleges and universities are doing better, and maybe it's also the case that the students know even more now than they did in the early 70s, taking advantage of opportunities that many of them are never going to have again. To live with such a diverse group matters a lot to them. Maybe they're working harder at it themselves, as well as the campus is doing a somewhat better job. That's just all conjecture, but what is not conjecture is that there are clear differences between '76 and '89, and they go in the directions that at least he would have wanted them to go. Yes.

Prof. **Bob Hochmuth** (Engineering) said he teaches in engineering and he's noticed some extraordinary changes just in the last two or three years, but the question is, would this have happened by itself without this?

Dr. **Bowen**: Would what have happened?

Bob Hochmuth: The greater number of African American students, say, going into technical fields. The Physics MIT graduate was a very good example of that. He has seen a lot more of this just in the last few years, but the question then would be from someone who, say, is opposed to their efforts or opposed to affirmative action saying, well this is going to happen anyway. Is there any way that can be addressed?

Dr. **Bowen**: There is in part, i.e. some of it would have happened anyway, could have happened.

Bob Hochmuth: Eventually it will happen by itself.

Dr. **Bowen:** Absolutely. And of course one of the things that you see all through the study and everyone can see is generational effects. As more people go through good schools and succeed and all the rest, that is encouraging to other people, and so this is a kind of dynamic fortunately built into the machinery that is working in our favor. But he thinks also in the society at large there is more understanding of the value of this kind of training than there was earlier on. So that is clearly a factor as well. He can just tell him one fact from the study that the field of engineering has enjoyed the biggest increase relative to African American enrollment in any field between '76 and '89. He wouldn't suggest that he give himself no credit, i.e. at least the engineering programs that he knows anything about have worked hard in this area, they really have, and he's not cynical enough to think or just assume that those efforts have meant nothing. It's just not to say that there isn't more to do.

Prof. **Peter Burian** (Classical Studies) asked if Bowen's study has any way of looking at the question of whatever difference it might make for minority students to have minority faculty members present at their institutions in greater or lesser amounts?

Dr. **Bowen** said that nothing is known. There have been other studies, there's a much quoted study by Rosen and somebody else on the subject that is inconclusive in its results. Nothing. Yes.

Prof. **Randall Kramer** (ECAC/NSOE) asked if Dr. Bowen's study allowed him to project what would happen to minority enrollment if the race-sensitive policies were now eliminated?

Dr. **Bowen:** In excruciating detail. He wondered, in jest, how he had managed to find this man and plant him? His question was 'does our study allow us to say anything about the numbers of minority students if these programs and processes were brought to an end.' Absolutely it does. One of the most interesting figures in the book is a figure that shows admission probabilities in relation to SAT scores for both African American and white students at five schools for which they had every scrap of data in the admissions files for everybody who applied, and of course what you find is that the probability of being admitted rises with SAT scores for both groups, as you can certainly expect it to, that the probability is higher for African Americans with any given SAT interval which is what taking race into account means among other things. And what you can do then, armed with this

information, is say, well, one possible operational definition of race neutrality is that within any given SAT range or within any given combination of SAT range and high school grades, the probabilities of admission will be the same because everybody, or almost everybody agrees that other factors besides test scores and grades should get some weight. If you impose that regime, on these pools, what you find is that the enrollment of minority students at the most selective schools— we divide the schools into 3 bands: those where the average SAT is 1350 or higher, being very selective, a kind of middle group 1150-1300, and a kind of 1000-1150 group— the percentage of African American students would fall from about seven and a half percent to about two and a half percent. Now why is that? Very simple. Awash in high testing white candidates. Absolutely. One of the things that has happened has been huge increases in the numbers of very good applicants who are from traditional backgrounds and all the rest and so if you have to play against that pool on a numerical basis, the number of minority students is just going to [drop] . Now when they made all of these projections, it was really interesting, there was a real world case happening before their very eyes at Berkeley, and miserable social scientists like him never get a kind of real world case happening concurrently with his projections, but one did. The Berkeley data were within half a point of their projections. In the middle group, the fall would be a little less dramatic but still dramatic, like he didn't know seven to three and a half or something and in the less selective group, but still selective, and all of these are very good schools, fall by like 40%. If you integrate it all, all twenty-eight schools, this whole universe, the minority population would have fallen by a little more than a half. So the stakes are real. The stakes for these schools and for the country are enormous, and, of course, at the graduate and professional schools the implications for minority enrollment are even more severe, because at the best schools of that kind, the competition is just killing you in medicine, law, and all the rest. So, big issues.

Prof. **Emily Klein** (Geology/ECAC) asked what we know among the schools that have instituted innovative programs to deal with the gap, either anecdotal or otherwise, about what's working and what's not.

Dr. **Bowen** responded that we do know some things, not as much as we should but we do know some things. What we do know is first, remedial is a bad word and concept and that wherever possible, [to] stay away and the successful programs do not have that characteristic. Rather, what they do, and they also by and large are not narrowly targeted at a particular racial group, they are more inclusive. They tend to emphasize high

expectations one way or the other. 'Hey, you got an A- in physics, you should be getting an A+. What is this A- stuff?' High expectations are commensurate with qualifications. A lot of group interaction and reinforcement [is desirable]. There is much evidence about that, and a number of the African American students who did not do as well in terms of rank in class as they might have, turns out, have the habit of studying alone and on and on and on and on. So that is another factor, confidence, the building of confidence. High expectations combined with resources, financial aid, you know all of that kind of thing. The most successful program that is documented on a large scale is the one on the Baltimore campus of the University of Maryland. He is embarrassed that he can't think of the name of a very talented man, he thinks he's actually a professor of engineering. He's really run a first rate program over there. They're in the process right now of collecting as much evidence as they can about a variety of things that have worked in the hope of being of some use in this territory. Yes.

Prof. **George Christie** (Law) said he just wanted to make an observation. In some ways his comments [are] about the value of [diversity] in schools. It actually makes it harder as a matter of public policy for the state institutions to adopt these policies because they look at the problem from a different perspective, at least the law does, i.e. from the perspective of the person who is getting denied the opportunity. Prof. Bowen is looking at it from the perspective of societal benefit, we'd all agree it is a clear societal benefit, but if you look at it from the perspective of the law, namely who has to give up, in other words whether he [the applicant] can be sacrificed or whatever it is you want to say. The more you make it valuable, the more he's sacrificing. And that's uniquely very tough.

Dr. **Bowen** said that he heard him loud and clear. When he gave a talk and had a fascinating discussion at the University of Virginia Law School, they spent a lot of time on just this question, and let's be clear, the marginal white student who did not gain admission would have, by all the evidence we can assemble, done very well, absolutely. That's true, and you have to weigh that. One person at this University of Virginia discussion shook her head and said, 'you know, there are no exits. There are no easy ways out of this. You really have to decide at the end of the day what the mission of the place is and what trade-offs you are prepared to make.' He was always so objectionable when he was president, unlike your president, that he became actually quite good at explaining to wealthy alumni and all the rest why they were turning down their kids in favor of all of these other people, and he found interestingly that honesty and directness paid big dividends.

He remembers saying to one person, 'yes, your son is a fine candidate, has done very well, and would do well here, clearly over threshold at Princeton, no question. But, does your offspring shoot out the lights? No. Are there a lot of other people here very much like your offspring, very many more people in the applicant pool very much like your offspring? Absolutely, thousands of them; and on the margin, is the university going to be better off in terms of the educational benefits for everybody, diversity, and all the rest and in terms of its mission in society, if it takes a minority student whose test scores are, I don't know, 100 points lower than your son's, but has probably got a better shot of contributing in these directions?' That's the kind of call you have to make and the people would look at him and some of them would say, 'aw God we have to get rid of you, how have we let you stay here so long?' And others would say, 'yeah, that makes sense, I can understand that. There is a societal benefit here. And we give these places tax exempt status, right? We provide public funding, federal as well as state, right?' Absolutely we do. Why? Because it's not just a matter of conferring benefits on some bunch of individuals. It's a matter of trying to meet what you think are the educational needs and the broader public needs of the country. Now if you don't believe that, well then they don't believe that, and no amount of evidence or data or anything is going to change their mind. But what the law says at the end of the day is very much an open question. Of all the things that have been written about their book, he thinks by far the most perceptive was the two-piece set of things that Ron Dworkin wrote, published in the New York Review of Books. Dworkin, of course, has the advantage of being both a professor of law and a professor of philosophy. And he also writes very well, he thinks very well and he writes very well, and he takes this question, what does all of this mean for the courts, and looks at it more rigorously than anybody else that he has seen. And his conclusion is not a pessimistic one. He's right now in the middle of this University of Michigan case. He gave his deposition faithfully a couple of weeks ago in New York, expects to testify in the fall. The attorneys for the University of Michigan are very good, they are very very good and they don't expect to lose. So, who is he to enter into that territory, it's not his but that's their judgment. Yes.

Prof. **John Staddon** (Psych/Exp.) said that he gathered from what he said, that he doesn't see any difference between private and public institutions.

Dr. **Bowen** replied that he didn't really say that. What he did say and what he does believe is that the same lines of argument apply to both. He doesn't think the mission of the University of Michigan is fundamentally different from the

mission of a great private university, and he thinks we would all be impoverished if there were not places like Michigan, as good as Michigan in the public sector. So, fundamentally, he does think their missions are very much the same and the arguments are very much the same but he would concede that in terms of state interests, thought about narrowly, there is a different obligation on the public than there is on the private and it's interesting. He'll take one minute only and then he'll let everybody get out of here. If ever there was a state that thought about itself as a state, it's certainly Texas. In the state of Texas, where, of course, the Hopwood decision, he is sure almost all here know, determines and rules out any considerations of race not only in admissions but in financial aid, there is a tremendous concern among thoughtful people, civic leaders in both parties— [it's] not a Democrat-Republican thing at all—that they are not going to be able to keep in the state of Texas the most talented minority students, and they see that from a state perspective, never mind a [national one], as a serious thing. What he means is that if the ablest minority students in the state of Texas are somehow induced to go to Oklahoma or Duke, this has consequences for the state, and so, in a funny way, in an odd way, the consequences are greater in some respects for the public institutions, when you think about mobility in America, than for the private places that see themselves much more as national. Well, he's trapped everyone here, he is sorry.

With this, the **Chair** inquired if there is any other business before the Council; there being none, he asked for and accepted a motion to adjourn.

Submitted for consideration by the Academic Council,
A. Tilo Alt, Faculty Secretary