Name: Colin J. Kegler

Location: Provincetown, MA **Date**: mid-February 2025

1. How important should diversity, equity, and inclusion be at Harvard, and what strategies should the University pursue to address these? How would you work to advance Ethnic Studies at Harvard, including the establishment of a concentration and department? In addition, please discuss other specific programs and policies, especially the 1650 Charter's pledge to facilitate education of American Indian youth.

ANSWER:

- In 2025, the phrase "Diversity, Equity, and Inclusion" has unfortunately acquired negative political connotations. I believe that inclusion and belonging are core, non-negotiable values that Harvard should embrace. For Harvard to sustain excellence in the present and the future, that pursuit strongly implies diversity and equity as well. Harvard's students and its educational environment benefit from a variety of experiences and backgrounds at levels beyond token representation. Stated half jokingly, half in earnest: a well-diversified portfolio is good practice as Harvard and society prepare for a more global, interconnected, multicultural present and future.
- In the area of Ethnic Studies, Harvard trails its peer institutions despite long-term efforts to procure highly regarded scholars in the field and establish such studies as a concentration.
 - The Crimson article, "<u>The Four Decade Road to Ethnic Studies</u>" from 2017 and more recent reporting, details this ongoing pursuit. Even more concerning, notable scholars in the field, such as former **Professor Lorgia García Peña**, who left Harvard for Princeton, have faced obstacles gaining faculty positions and tenure. These challenges have made faculty retention in Ethnic Studies particularly difficult.
 - Alumni have demonstrated their financial support of Ethnic Studies through endowed funds. In particular, Jane Sujen Bock '81 and Margaret M. Chin '84 have been longtime advocates, instrumental in fundraising for Ethnic Studies. Since neither funding nor the availability of scholars poses an impediment to Ethnic Studies, governance appears to be the core issue. To what extent do interdepartmental politics present a challenge in the establishment of Ethnic Studies?
 - Through the departmental review process, the Board of Overseers has the
 power and authority to seek accountability from Harvard regarding Ethnic
 Studies. As an Elected Director not an Overseer I support the
 commitment of members of the Coalition for a Diverse Harvard in both its

fundraising efforts and its advocacy for greater institutional commitment for Ethnic Studies.

- Harvard has had a historic and binding relationship with Indigenous Americans —
 particularly the Wampanoag and Massasoit people since its colonial Charter of
 1650. In the charter, Harvard made an enduring commitment to facilitate the education
 of Native Americans. Harvard mediates its commitment mainly through the Harvard
 University Native American Program, but there are additional policies and initiatives
 which the Harvard community should adhere to:
 - As identified in Harvard's <u>"Legacy of Slavery Report"</u>, <u>Harvard should honor</u>, <u>support</u>, <u>and engage Native communities</u>. Harvard should acknowledge its historic transgressions.
 - Harvard should facilitate research and educational efforts with Native American groups.
 - Harvard should comply with efforts to repatriate artifacts in the university's possession, which originally belonged to Native Americans.
 - Harvard should work with Native American groups to help preserve nearly decimated native culture.
- 2. Given the Supreme Court's ruling against race-conscious admissions, what measures should the University adopt to promote student-body diversity along multiple dimensions, including racial diversity? Do you support this <u>University policy concerning affirmative action</u>?

ANSWER:

In the case, *SFFA v. Harvard*, the conservative majority of the Supreme Court in 2023 struck down nearly 50 years of affirmative action practice and its supporting legal precedents. Previously, the applicant's <u>race and ethnicity could be **ONE** factor among **MANY** in the <u>admissions process</u>; after the ruling, race-conscious indicators have been forbidden in the application review process.</u>

- Harvard should maintain and further develop its practice of holistic review in its
 admissions. Although Harvard may no longer lawfully use race/ethnicity as a "plus
 one" tip factor, Harvard's admissions should consider "the applicant in the <u>full</u>
 <u>breadth of their humanity and lived experiences</u>, including experiences that pertain
 to their racial and ethnic background".
 - Harvard admissions legally can and should continue to pursue diversity with outreach and recruitment. I applaud Harvard Admission's strategic alliances with other universities to pursue diverse, socio-economic recruiting strategies
 — e.g., rural outreach, 1st generation outreach, urban outreach, international student outreach, etc.
 - We alumni are also a crucial component: In our own communities, I encourage
 us to cultivate recruitment pipelines, formally or informally, to encourage
 talented students to apply. Hint: Volunteer for Harvard College Alumni Schools

Committee, represent and promote Harvard's professional schools at job fairs, etc.

- I fully support President Alan Garber's "2024 Reaffirmation Of The University's Policy Concerning Affirmative Action And Equal Employment Opportunity".
- 3. Do you support the elimination of admissions preferences for recruited athletes, children of donors, and children of alumni (legacy)? Please address all three categories.

ANSWER:

Short Answer: I am moderately in favor of eliminating admissions "tips" or "plus factors" for these categories — recruited athletes, children of donors, and children of alumni (i.e., legacy) — referred to as "ALDCs." On a 1 to 10 scale, I would rate my support for elimination at **7.5**. In a post-affirmative action America, should admissions policies continue to favor ALDCs — who already have socio-economic advantages — while placing historically underrepresented groups at a disadvantage in the admissions process?

I qualify the elimination of ALDC tips because there are nuances and ramifications to consider. Regarding "plus one" tips for the specific categories:

- Children of Donors A parent's capacity to donate reflects the family's socio-economic status; it does not reflect the strength of the applicant's individual accomplishments. It is justifiable to eliminate this category and develop alternative strategies to solicit donations.
- Children of Alumni Eliminating legacy preferences to children of alumni, albeit a small sacrifice for alumni, is justifiable. Many legacy children are well prepared through the guidance and resources of their alumni parents, and their candidacy is strong even without a tip as a legacy.
- Athletics "plus one" tips to athletes warrant a refined approach and a deeper institutional review. Even recently at Harvard, a few athletic recruitment endeavors associated with affluence e.g., fencing have been accused of fraud or "gaming" the admissions process. On the other hand, the more commonly accessible sports e.g., football, soccer, track, swimming, etc are more defensible. Athletic recruitment is a specialized concern. Harvard benefits from student-athletes who excel in competition and may advance to professional sports or the Olympics. Of the ALDCs, I am the most sympathetic to "plus one" tips for athletics because they reflect the applicant's accomplishments. Still, I would consider narrowing its application to specific sports.

As an Elected Director,

- 1. I can advocate for the reduction or discontinuation of ALDC preferences in admissions.
- 2. I would urge the HAA to bring the issue of ALDC "plus one" tips to an (unprecedented?) referendum. The question could be appended to the ballot in an official HAA elections cycle; ideally, this would happen no later than the Spring of 2027 (i.e., 2 elections), if not earlier. I believe that Harvard's alumni have a vested interest in

- this issue and that their voices should be heard, whether the vote is binding or symbolic.
- 3. I can also encourage members of the Board of Overseers, with their responsibilities for university governance and oversight, to address the issue deeper and reduce or eliminate the use of ALDCs in admissions practices.

Additional Comments:

- I thank **Michaele Turnage Young, HLS '06,** and the NAACP Legal Defense Fund, who, for over five years, educated concerned alumni on Harvard's precedent-setting history with affirmative action. They helped us navigate the legal nuances of the court case *SFFA v. Harvard* from its 2018 inception in the Federal District Court in Boston, through the Appellate Court process, to the ultimate Supreme Court decision in 2023.
- Although somewhat beyond the scope of this question, the issue of ALDC "plus one" tips brings up the more fundamental issue of **fully endowing** the per pupil total cost of education. Harvard is more at liberty, or less constrained, to attract the most talented students globally when the total cost per pupil **is endowed**. Harvard could separate fundraising strategies involving donors and alumni legacies from admissions considerations. I encourage Harvard alumni to commit to making tuition debt-free for students i.e., "paying it forward".
- The Board of Overseers, with its responsibilities for governance and oversight, has even more influence than I would as an Elected Director.
- 4. In light of last year's turmoil—from the doxxing of students to the resignation of President Gay—how do you think Harvard can ensure key institutional values such as: academic independence from political and financial strong-arming; free expression on campus (including the right to protest); and safety for all?

ANSWER:

Harvard has reinstated a public policy of **institutional neutrality** on matters other than its core mission of education, research, and advancing knowledge. **Institutional neutrality** serves as an important safeguard against political and financial coercion from external entities.

- Professor of Government, Danielle Allen, elegantly articulated Harvard's core values in her April 2024 op-ed in The Crimson, which I fully support. These values include: "academic freedom," "free speech," "civil discourse," and "open inquiry."
- Institutional neutrality may not satisfy everyone in the Harvard community, but students and faculty remain free to express their political views individually or collectively. Harvard should not restrict expression that remains within the bounds of civility.
- I encourage the Board of Overseers to review Harvard's policies regarding the vetting of donors and their donations. Ideally, Harvard's donation agreements include a

validation step in which donors acknowledge the university's commitment to academic freedom and inquiry. Financial donations contingent upon political influence are counterproductive to both Harvard and the donor.

At the same time, Harvard must protect the rights of students and faculty to engage in free political speech, peaceful protest, and assembly—so long as these actions do not involve personal intimidation or disrupt the instructional process.

- I strongly urge Harvard administrators to uphold the privacy and security of students and faculty, particularly international scholars. Harvard should not disclose student activities without first undergoing a thorough legal review of the potential ramifications.
- Additionally, Harvard's General Counsel should regularly review policies governing the
 university's interactions with the federal government. The university should periodically
 update and implement an action plan in collaboration with deans and administrators
 who work directly with students, ensuring their safety and shielding them from undue
 government intervention including surveillance, deportation threats, and intrusions
 into nonpublic spaces.
- Harvard should protect students, faculty, and administrators who, in good faith, act as conscientious objectors until legal guidance is provided by the General Counsel.

5. What concrete steps have you taken to bring diversity and inclusion to Harvard, to your workplace, and/or to other organizations? Are you a member of any of the signing groups below?

ANSWER:

- Diversity and inclusion have been a consistent focus in my daily life.
 - Regarding Harvard, I recently had the privilege of serving as a College Director on the HAA Board of Directors (2017-23). Through the HAA Board, we have intentionally implemented Diversity & Equity initiatives and best practices in our local alumni communities and SIGs. These efforts are something we can take pride in, both individually and collectively.
 - I have drawn particular inspiration from the work of Robert Manson (HKS '04, HAA Executive Board) and his Harvard Alumni Allyship global series, which has made a meaningful impact over the years.
 - In the workplace, I have faced moments where I had to speak out against bias and prejudice—starting diplomatically and escalating when necessary—with peers, managers, and even executives. From a standpoint of morality, team morale, and overall group effectiveness, we all thrive in an environment that fosters mutual respect and embraces diverse perspectives.
- I am a member of

- Coalition for a Diverse Harvard
- Harvard Black Alumni
- Gender and Sexuality Caucus

6. What role do you think Harvard can and should play in defending democracy and the rule of law in the US and around the world?

ANSWER:

Harvard has adopted a policy of institutional neutrality on matters other than its core mission of education, research, and advancing knowledge. Harvard, though, should still defend the rights for independent students and faculty to exercise free (political) speech, peaceful protest, and assembly. I **fully support** the rights of students and faculty to defend democracy and the rule of law in the United States and around the world.