

BOARD OF DIRECTORS

May 16, 2023

APPROVED MINUTES

Board Members Present: Thema S. Bryant, PhD; Cynthia de las Fuentes; Frank C. Worrell, PhD; Michael L. Hendricks, PhD; Kathleen S. Brown, PhD; Arthur C. Evans Jr., PhD; M. Lynne Cooper, PhD; Luz Maria Garcini, PhD, MPH; Candice N. Hargons, PhD; Debra M. Kawahara, PhD; Tamara S. Lyn, PhD, ABPP; Mary Ann McCabe, PhD, ABPP; Robin E. Mockenhaupt, PhD; Tiffany Parisi, MPH; David T. Susman, PhD

Board Members Absent: Arlene Noriega, PhD

- A. In executive session, the Board voted to approve the board and committee election slates.
- B. The Board voted to approve the addition of \$9,000 in the 2023 Budget for reimbursing up to \$1,000 per person for the members of the Board of Convention Affairs hotel costs at the APA Convention annually beginning in 2023.
- C. The Board voted to approve 1) renaming the *Presidential Task Force on Race Norming* to the *Presidential Task Force on Neuropsychological Test Norming in Diverse Populations*; 2) changing the current Task Force charge #2 to read as follows: “to develop an APA sponsored research agenda focused on the issue of considering the sociocultural context, lived experiences and representation of diverse populations on the development and use of normative adjustments in neurocognitive tests.”; 3) extending the Task Force members terms through June 30, 2024; and 4) allocating \$16,000 from Past President Frank Worrell’s presidential activities fund to support one in-person meeting in 2023 of the Task Force.
- D. The Board voted to 1) approve President-Elect Cynthia de las Fuentes using the title of 2024 APA President on the Compassionate USA videos and 2) endorsing the concept of APA partnering the Compassionate USA project subject to staff review.

BOARD OF DIRECTORS

June 9 & 10, 2023

APPROVED MINUTES

Board Members Present: Thema S. Bryant, PhD; Cynthia de las Fuentes; Frank C. Worrell, PhD; Michael L. Hendricks, PhD; Kathleen S. Brown, PhD; Arthur C. Evans Jr., PhD; M. Lynne Cooper, PhD; Luz Maria Garcini, PhD, MPH; Candice N. Hargons, PhD; Debra M. Kawahara, PhD; Tamara S. Lyn, PhD, ABPP; Mary Ann McCabe, PhD, ABPP; Robin E. Mockenhaupt, PhD; Arlene Noriega, PhD; Tiffany Parisi, MPH; David T. Susman, PhD

Board Members Absent: None.

I. MINUTES OF MEETING

A.(1) The Board voted to approve the minutes of its February 23, 2023, meeting and its following 2023 calls: March 7, March 13, April 4, and May 2.

II.ELECTIONS, AWARDS, MEMBERSHIP AND HUMAN RESOURCES

A.(2) The Board voted to recommend that Council approves the following amendments to the Association Rules (bracketed/strikethrough material to be deleted; underlined material to be added):

110-14. RULES GOVERNING SIMULTANEOUS SERVICE

110-14.1 It is the goal of this section that members not serve simultaneously on the Board of Directors at the same time as another elected or appointed APA position, and also that members not serve for more than one advisory group except as ex-officio, non-voting, and/or with certain other minor exceptions noted. To that end, sections 110-14.2, 110-14.3 and 110-14.5 identify specific groups as to which simultaneous service is prohibited and set forth qualifications for participation in election or appointment to the Board of Directors and advisory groups when a member is currently serving or has been elected or appointed to serve on another advisory group.

110-14.2 Members of the Board of Directors shall serve simultaneously on the Board of Directors of the American Psychological Association Services, Inc., but shall not serve simultaneously on APA advisory groups, other than as ex-officio or liaison; in any elected positions in any Divisions or state/provincial/territorial psychological associations; or on governing bodies of other advocacy or political action organizations for psychologists or psychology that are national in scope.

110-14.23 Members shall not serve simultaneously on any of the following advisory groups, except as ex-officio and/or non-voting members or if other exceptions are provided below.

Boards

Advancement of Psychology in the Public Interest
Convention Affairs
Educational Affairs
Membership
Policy and Planning
Publications and Communications
Professional Affairs (except that one member is also a member of the Committee on Professional Practice and Standards)
Scientific Affairs

Committees

Advancement of General Applied Psychology
Aging
Animal Research and Ethics
Associate and Baccalaureate Education
Children, Youth and Families
Continuing Education
Council Leadership Team
Disability Issues in Psychology
Division/APA Relations
Early Career Psychologists
Ethics
Ethnic Minority Affairs
Fellows
Finance
Global Psychology
Health Equity (ad hoc)
Human Research
Needs Assessment, Slating and Campaigns
Professional Practice and Standards (except that one member is also a member of the Board of Professional Affairs)
Rural Health
Sexual Orientation and Gender Diversity
Socioeconomic Status
Psychological Tests and Assessment
Teachers of Psychology in Secondary Schools
Women in Psychology

Commissions

Commission for the Recognition of Specialties and Subs specialties in Professional Psychology
Commission on Accreditation

110-14.[2] 4 Members shall not run for election in the same calendar year for more than one of the following positions: President-Elect, Recording Secretary, Treasurer, member-at-large of the Board of Directors, Council Leadership Team Chair-Elect, Early Career Representative of the Council Leadership Team, member-at-large of the Council Leadership Team.

110-14.5 Members shall not 1) simultaneously run for election (i.e., appear on an election ballot that is open for voting) for the Board of Directors and{ /or} for [more than one] any of the following advisory groups[. In addition, members shall not] ; 2) run for election for one of the following advisory groups if the term of service will begin prior to the end of a term the member is currently serving or has been elected or appointed to serve on one of the advisory groups listed in Association Rule 110-14.[2] 3.; 3) be appointed to one of the advisory groups listed in Association Rule 110-4.3 if service will begin prior to the end of a term the member is currently or has been elected or appointed to serve on one of these groups.

Boards

Advancement of Psychology in the Public Interest
Convention Affairs
Educational Affairs
Membership
Policy and Planning
Publications and Communications
Professional Affairs
Scientific Affairs

Committees

Advancement of General Applied Psychology
Council Leadership Team
Ethics
Finance
Global Psychology
Rural Health

Commissions

Commission for the Recognition of Specialties and Subs specialties in Professional Psychology

B.(3) The Board voted to approve 1) the creation of a psychology supporter program [name to be determined] that would provide individuals who are not eligible for any APA membership category the opportunity to pay an annual fee to be afforded access to digital content, non-member/non-exclusive APA newsletter subscriptions, and discounted rates for select APA Publishing products, APA trainings, APA convention and events; and 2) the initial annual fee of \$59 for the APA Psychology Supporter program which may be adjusted by the Membership Office as it deems appropriate in future years.

C. In executive session, the Board voted to recommend that Council approve the proposed membership dues increase for membership tier 7 to \$229 and membership tier 9 to \$279, starting with the 2025 renewal cycle.

D. In executive session, the Board voted to approve that the Board 1) convenes a workgroup (including members of the Board of Directors, boards and committees, and staff) to review and consolidate APA awards (not including Division or APF awards) in recognition of financial and opportunity cost savings; and 2) requires that any newly proposed APA awards be approved by the Board of Directors.

E. In executive session, the Board voted to approve the following appointments:

1. Appointed Delisha Pittman, PhD and Serdar M. Değirmencioğlu, PhD, to serve on the Committee on Division/APA Relations for terms from January 1, 2024, to December 31, 2026.
2. Appointed Clifton A. Berwise, PhD, and Dominique Chao, PsyD, to the Committee on Early Career Psychologists for three-year terms of January 1, 2024 – December 31, 2026.
3. Appointed Steven Smith, JD, as a public member on the Commission for the Recognition of Specialties and Subs specialties in Professional Psychology for a three-year term of January 1, 2024, through December 31, 2026.

F. In executive session, the Board voted to approve Sandra L. Shullman, PhD, as the recipient of the 2023 Raymond D. Fowler Award for Outstanding Contributions – Member.

III. ETHICS

No items.

IV. BOARD OF DIRECTORS

A. In executive session, the Board voted to 1) approve President Thema Bryant, PhD, convening a small team of experts in Black trauma recovery (5-10 persons) to write a Study Guide for the Remake of the Film The Color Purple on behalf of APA as a presidential initiative; and 2) request that the guide be brought back for approval by the Board of Directors.

V. DIVISIONS AND STATE AND PROVINCIAL AND TERRITORIAL ASSOCIATIONS

A.(4) The Board voted to accept the 2022 Division Annual Reports.

VI. ORGANIZATION OF THE APA

A.(11) The Board received an update on the Strategic Plan Advisory Group.

B. In executive session, the Board voted to approve 1) that APA no longer require proof of vaccinations against COVID-19 for APA Convention attendees beginning in 2023; and 2) that, effective immediately, APA no longer require that members sign a COVID-19 Waiver (that includes affirmation that the member is fully vaccinated) as a condition of attendance at APA Board, Council of Representatives, board and committee and other APA meetings.

C. In executive session, the Board voted to approve that the Board will consider a plan for streamlining APA's Bylaws after Council's adoption of the revised Strategic Plan in February 2024.

D. In executive session, the Board voted to approve convening a diverse workgroup to evaluate and propose recommendations to create greater alignment between the APA and the Divisions, including the possibility of including a Division membership with an APA membership. The primary charge of the work group is to determine what resources and services are agreed upon to collaboratively support this alignment. A second charge of the workgroup would be to determine what can be done to achieve greater alignment and bi-directional collaboration between Divisions and the APA to further the Association's strategic priorities.

E. The Board expressed support, through a series of straw polls, for APA continuing its work on the following:

1. Climate change, including a) conducting a strategic evaluation of existing partnerships and exploration of a new partnership with the World Wildlife Fund; b) expanding efforts to promote opportunities for graduate students to work in applied settings; and c) considering how best to integrate and involve the newly established Climate Change Psychology Advisory Group.
2. Joint media statements in collaboration with other associations and other avenues as deemed appropriate.
3. Ways APA can respond to domestic crises on a national level.
4. Therapeutic technologies.
5. Planned programs and offerings of APA's Leadership Development Institute.
6. Development of C6 products that are consistent with APA's policies.

VII. PUBLICATIONS AND COMMUNICATIONS

No items.

VIII. CONVENTION AFFAIRS

A. In executive session, the Board voted to 1) charge the Board of Convention Affairs with outlining a plan to evolve convention further to improve profitability while achieving APA's strategic goals; and 2) ask that the Board of Convention Affairs report back in December 2023 with a plan to achieve the Board's expectations, to include both revenue increases and cost cutting strategies.

IX. EDUCATIONAL AFFAIRS

A.(5) The Board voted to approve the following changes to Section 3.2.3 of the Accreditation Operating Procedures (bracketed/strikethrough material to be deleted; underlined material to be added):

Accreditation Operating Procedures (AOP)

3.2 Complaint Against Accreditation Site Visitor(s)

The procedures for handling complaints against site visitors are intended to deal with complaints based on purported inappropriate actions of site visitors related to the site visit.

3.2.1 Filing a Complaint

The director of training of a program, with notice to the chief executive officer of a doctoral program's host institution or the responsible administrative officer of an internship or postdoctoral residency program, may file a complaint regarding the actions of site visitors.

The director of training must notify the Office of Program Consultation and Accreditation of the institution's or program's intent to file a complaint within 30 days after the completion of the site visit. Subsequently, the complaint must:

- (a) Be written and signed;
- (b) Be sent to the Office of Program Consultation and Accreditation before the host institution has received the written report from the site visit team and within 30 days after completion of the site visit;
- (c) Provide a clear description of the critical incident(s) in question; and
- (d) Grant permission to send the complaint, in its entirety, to the site visit team.

3.2.2 Processing of a Complaint

Receipt of a complaint meeting these requirements will be acknowledged by the Office of Program Consultation and Accreditation and held until the site visit team's report is received by the Office. The complaint will be sent to all members of the site visit team with request for comment within 30 days. At the same time, the site visit report will be sent to the program for comment. The program will be asked to explain in its response whether and how the complained of conduct may have influenced the content of the site visit report.

3.2.3 CoA Action

In no case will the CoA decision regarding the program's consistency with the SoA be made until the complaint has been disposed of by the CoA. Based upon its review of the complaint and response from the site visitor team, the CoA may make the following decisions:

- a. Dismiss the complaint;
- b. ~~[Reprimand the site visitor(s), which may include deletion from the list of potential site visitors maintained in the Office of Program Consultation and Accreditation;]~~
- [e.] Pursue the matter further, either by further inquiry of the parties involved or by means of a special fact-finding sub-commission of the CoA, to provide additional information upon which to base a decision; or
- c. Take one or more of the following actions in actions in regard to the site visitor:
 - (1) Provide guidance to the site visitor;
 - (2) Require some form of remediation (e.g., additional site visitor training);
 - (3) Reprimand the site visitor;
 - (4) Remove from the list of potential site visitors maintained in the Office of Program Consultation and Accreditation.

d. Take other action as, in the judgment of the CoA, is appropriate under the circumstances.

After acting on the complaint, the CoA must then determine whether the critical incident(s) influenced the content of the site visit report. If the incident is determined to have influenced the site visit report, the CoA will void the site visit report and request from the host institution an invitation to revisit at APA expense. If the incident is determined not to have influenced the site visit report, the CoA will proceed with its review of the program.

The CoA will communicate the disposition of the complaint, in writing, to the program and to the site visitors.

B.(6) The Board voted to 1) determine that the *APA Guidelines for the Undergraduate Psychology Major: Version 3.0* pose no undue risk to the Association and 2) refer the item to the Council Leadership Team for a content review and to make a recommendation to Council.

IX. PROFESSIONAL AFFAIRS

A.(7) The Board voted to 1) determine that the *Guidelines for Operational Psychology* pose no undue risk to the Association and 2) refer the item to the Council Leadership Team for a content review and to make a recommendation to Council.

B.(8) The Board discussed the item “Council NBI #13B/March 2018: Healthcare Practice Guideline Policy.”

C.(12) The Board received an update on the development of Clinical Practice Guidelines by APA.

XI. SCIENTIFIC AFFAIRS

No items.

XII. PUBLIC INTEREST

A.(9) The Board voted to approve APA being a signatory to the United States Joint Statement Against Conversion Efforts (attached).

B. The Board received an update on the Accessibility Inclusion Maturity Model.

XIII. ETHNIC MINORITY AFFAIRS

No items.

XIV. INTERNATIONAL AFFAIRS

A.(10) The Board voted to approve the signing of a Memorandum of Understanding between APA and the Bermuda Psychology Association

XV. FINANCIAL AFFAIRS

- A. In executive session, the Board received a report from the Finance Committee.
- B. In executive session, the Board voted to approve that the membership dues allocation for FY2024 remain at APASI 60% and APA 40%.

BOARD OF DIRECTORS

June 20, 2023

APPROVED MINUTES

Board Members Present: Thema S. Bryant, PhD; Cynthia de las Fuentes; Frank C. Worrell, PhD; Michael L. Hendricks, PhD; Kathleen S. Brown, PhD; Arthur C. Evans Jr., PhD; M. Lynne Cooper, PhD; Luz Maria Garcini, PhD, MPH; Candice N. Hargons, PhD; Debra M. Kawahara, PhD; Tamara S. Lyn, PhD, ABPP; Mary Ann McCabe, PhD, ABPP; Arlene Noriega, PhD; Tiffany Parisi, MPH; David T. Susman, PhD

Board Members Absent: Robin E. Mockenhaupt, PhD

- A. The Board voted to approve allocating \$2,000 from President-Elect Cynthia de las Fuentes' Presidential activities fund to cover the cost of interview fees for the APA Taskforce to Study School Violence and Develop Guidance for Change.
- B. The Board discussed the item "Council NBI #13B/March 2018: Healthcare Practice Guideline Policy."
- C. The Board discussed the item "Report of Council Effectiveness Oversight Task Force."
- D. The Board discussed the item "Report of the Council Leadership Team Evaluation Task Force."
- E. The Board discussed a proposed Dependent Care Reimbursement Policy for Council and board and committee members. The item will be placed on the Board's July 11 call.
- F. In executive session, the Board voted to approve the following members to be included on the Board of Professional Affairs Slate for the Commission for the Recognition of Specialties and Proficiencies in Professional Psychology; Lindsay A. Phillips, PsyD, ABPP and Janna A. Henning, JD, PsyD.
- G. In executive session, the Board voted to approve the continuing committee appointments (attached).
- H. In executive session, the Board reviewed and recommended no changes to the Board member-at-large slates recommended by the Needs Assessment, Slating and Campaigns Committee. The Board voted to appoint Lindsey Patterson as the Public Member of the Board for a term ending January 1, 2024, and ending December 31, 2026.

BOARD OF DIRECTORS

July 11, 2023

APPROVED MINUTES

Board Members Present: Thema S. Bryant, PhD; Cynthia de las Fuentes; Frank C. Worrell, PhD; Michael L. Hendricks, PhD; Kathleen S. Brown, PhD; Arthur C. Evans Jr., PhD; M. Lynne Cooper, PhD; Luz Maria Garcini, PhD, MPH; Candice N. Hargons, PhD; Debra M. Kawahara, PhD; Tamara S. Lyn, PhD, ABPP; Mary Ann McCabe, PhD, ABPP; Robin E. Mockenhaupt, PhD; Arlene Noriega, PhD; Tiffany Parisi, MPH; David T. Susman, PhD

Board Members Absent: None.

A. In executive session, the Board voted to recommend that Council elect the members listed to Fellow status, on the nomination of the indicated divisions and on the recommendation of the Fellows Committee.

B. The Board voted to recommend that Council 1) extend the expiration date for the *Guidelines for Psychological Practice with Older Adults* to December 31 of 2024 and 2) extend the expiration date for *Clinical practice guideline for multicomponent behavioral treatment of obesity and overweight in children and adolescents: Current state of the evidence and research needs* to December 31 of 2024.

C. The Board voted to adopt the following Dependent Care Expense Reimbursement Policy for the August 2023 Council meeting with a maximum funding of \$5,000:

The American Psychological Association (“APA”) Board of Directors adopted this Dependent Care Reimbursement Policy (the “Policy”) to lessen the burden of dependent care costs incurred by members of Council and board and committee chairs attending the August 2 & 3, 2023 Council of Representatives meeting in Washington D.C. (“the Meeting”). Attendees, participating either virtually or in-person, who wish to seek reimbursement must sign an agreement with the terms and conditions of the Policy.

1. APA will reimburse meeting attendees for amounts actually paid for care of their dependents while they are participating in the Meeting, and only if expenses are incurred exclusively because of their attendance at the Meeting, up to a maximum of \$300 per attendee. For the purposes of this Policy, “dependent” means a child who is under age 13 or an individual who is physically or mentally unable to care for themselves and who the attendee would otherwise be obligated to care for during the Meeting.
2. Reimbursement is available only for care provided by individuals other than the attendee’s spouse or the dependent’s parent, sibling, aunt, uncle, or grandparent.
3. Selection of the care provider is at the discretion of the attendee and APA assumes no liability for dependent care arrangements. By signing the agreement, the attendee agrees

to waive, release, and discharge all claims, losses, damages, demands, rights of action or causes of action against APA and its officers, directors, employees, and representatives arising out of or resulting from dependent care arrangements made by attendee.

4. To receive reimbursement, an attendee must sign and return the agreement within 30 days of the meeting. All requested information must be provided, or the reimbursement request will not be processed. Reimbursement will be provided to the Meeting attendee. Reimbursement will not be provided to the care provider.
5. Reimbursement will be provided on a first-come, first-served basis until the amount of funds approved by the Board has been depleted.

D. The Board voted to recommend that Council reject the following motion:

That Council approves forwarding to the Membership for a vote the following amendment to Article XXI, Section 2 of the APA Bylaws (bracketed/strikethrough material to be deleted):

ARTICLE XXI

Amendments

2. Amendments may be proposed (a) by Council, [~~(b) by the Policy and Planning Board,~~ (b)] by the Board of Directors when approved by Council by a majority vote, or (c) by petition signed by four percent or more of the Members of the Association. A copy of each amendment proposed, with space appropriate for voting and such explanations of the amendments as are deemed necessary, shall be sent to the last recorded address of each Fellow, Member, voting Associate member, and voting Graduate Student member. Pro and con statements shall accompany amendments unless two thirds of the representatives present and voting consider such statements to be unnecessary. Forty-five days after the date of sending, the poll shall be closed and the votes counted by the Election Committee, which shall certify the result to Council at its next meeting, at which time the amendment, if passed by two thirds of all the Members voting, shall take effect.

E. The Board voted to recommend that Council adopt as APA Policy the following *Statement on Race-Conscious Student Admissions in Higher Education*:

Statement on Race-Conscious Student Admissions in Higher Education

The U.S. Supreme Court has struck down the use of race-conscious admissions programs in public and private colleges and universities, overturning decades of legal precedent and ignoring psychological science on which colleges and universities have relied in seeking to address the underrepresentation of students of color to achieve a diverse student body. On June 29, 2023, a majority of the Court decided that such admissions policies violate the equal protection clause of the 14th Amendment of the U.S. Constitution. Justice Ketanji Brown Jackson writes in her dissent, which relied heavily on the APA *amicus* brief and the psychological science the brief presented: “[D]eeming race irrelevant in law does not make it so in life. And having so detached itself from this country’s actual past and present experiences, the Court has now been lured into

interfering with the crucial work that UNC and other institutions of higher learning are doing to solve America's real-world problems." (*Students for Fair Admissions, Inc. v. Harvard College and Students for Fair Admissions, Inc. v. University of North Carolina*, Supreme Court of the United States, 2023, p. 25).

While the Supreme Court majority in *Students for Fair Admissions, Inc. v. Harvard College and Students for Fair Admissions, Inc. v. University of North Carolina* (Supreme Court of the United States, 2023) suggests that it is applying *Grutter v. Bollinger*, 539 U.S. 306 (2003), which upheld the race-conscious admissions program at the University of Michigan and found diversity to be a compelling state interest, as Justice Thomas admits, *Grutter* is, for all intents and purposes, overruled." (Supreme Court of the United States, 2023, p. 58.) Indeed, the majority creates a new standard whereby it determines that the educational value of diversity cannot be measured by courts, a concern never raised in earlier Supreme Court decisions examining race conscious admissions policies, and therefore violates the Constitution.

Moreover, the Court majority disregards the compelling science establishing the psychological damage and educational harm inflicted on students of color when they attend higher education institutions where discrimination, prejudice and underrepresentation exist. Race-conscious admissions has been a necessary equity-based and evidence-based approach that helped correct for inequities in communities and schools based on centuries of racism with respect to access and resources. As Justice Sonia Sotomayor states: "The devastating impact of this decision cannot be overstated. The majority's vision of race neutrality will entrench racial segregation in higher education because racial inequality will persist so long as it is ignored" (Supreme Court of the United States, 2023, p. 68-69). Or, as Justice Jackson wrote, the Court majority's decision is "unmoored from actual real life circumstances" of racism, and instead "[w]ith let-them-eat-cake obliviousness . . . , the majority pulls the ripcord and announces "colorblindness for all" by legal fiat (Supreme Court of the United States, 2023, p. 29).

The U.S. Supreme Court Majority Decision Striking Down Race-Conscious Admissions Will Not Achieve Color-Blindness or Make Race Irrelevant on Most College Campuses

The Court's decisions will worsen underrepresentation of certain racial and ethnic groups at higher education institutions that are not Historically Black Colleges and Universities (HBCUs) One recent study, examining enrollment data from 53 public universities in states with and without bans, found that having a ban reduced representation of racial and ethnic minorities by a staggering 37% (Ly et. al., 2022). In states without bans, representation *increased* by 0.7%.^[1] Other studies have observed similar impacts (Garces, 2013). The drop in admitted students of color at non-HBCUs is well documented. Black undergraduate enrollment at the University of Michigan at Ann Arbor dropped from 7% in 2006 to 4% in 2021 after Michigan banned affirmative action in 2006. Black students at the University of California, Los Angeles fell from 7% in 1996 to 3.43% in 1998 after California passed Proposition 209 in 1996, banning race conscious admissions (Saul, 2023).

The Court decisions will also exacerbate existing racism on most college campuses. Racism, especially at Predominantly White Institutions (PWIs), is not only individualistic but also institutional and structural. Such systemic and structural racism results from "laws, policies, and practices that produce cumulative, durable, and race-based inequalities and includes the failure to correct previous laws and practices that were explicitly or effectively racist" (APA, 2021a,

p.14). Institutional racism is the result of “policies, practices, and procedures of institutions—such as school, health care, law enforcement, and criminal justice systems—that marginalize diverse racial groups” (APA, 2021a, p.14; *see also* Carnevale et al.,2023).

Of course, race-conscious admissions policies are not just about numbers—they also involve a holistic analysis of candidates by colleges and universities that consider merit. Individualized holistic review incorporates three components; mission alignment; determining who is likely to succeed and who has the potential to contribute to the learning environment, and consideration of a number of intersection factors such as academic, nonacademic and contextual that in combination provide a more complete picture of the individual applicant (College Board, 2018).

As Justice Sotomayor wrote in her dissent, “Experience teaches that the consequences of today’s decision will be destructive. . . . Superficial color-blindness in a society that systematically segregates opportunity will cause a sharp decline in the rates at which underrepresented minority students enroll in our Nation’s colleges and universities, turning the clock back and undoing the slow yet significant progress already achieved” (Supreme Court of the United States, 2023, p. 62-63).

Race-conscious admissions programs in higher education have been one important way to address systemic racism across the U.S. educational systems. “Racism permeates every level of the landscape of education in the United States (U.S.), from housing and policies that determine where children are zoned to attend school in prekindergarten through postsecondary and lifelong learning, to the detriment of the academic achievement, self-concept, persistence, and success of students of color.” (Baumgartner & Johnson-Bailey, 2010; Burt et al., 2018; Sosina & Weathers, 2019; Voight et al., 2015; Wong et al., 2003; APA, 2021b, p.1). APA’s Statement on Dismantling Systemic Racism recognizes that “students of color are increasingly enrolled in majority-underserved, high-poverty schools and school segregation is associated with significant racial disparities. . . .” (Graves & Blake, 2016; Sosina & Weathers, 2019; Teranishi, 2010)” (APA, 2021b, p.2)

The U.S. Supreme Court Majority Opinion and Justice Thomas’ Concurrence Ignore Compelling Psychological Evidence and Rely on Discredited Studies

In her dissent, Justice Jackson, relying in part on APA’s presentation of the psychological science supporting race-conscious admissions, concludes:

All told, the Court’s myopic misunderstanding of what the Constitution permits will impede what experts and evidence tell us is required (as a matter of social science) to solve for pernicious race-based inequities that are themselves rooted in the persistent denial of equal protection (Supreme Court of the United States, 2023, p. 28).

The Court majority and Justice Thomas fail to consider psychological studies presented in the APA amicus brief, including a study published within the last four years and examining over 80,000 students in the aggregate, that found racial and ethnic minority students regularly experience acts of discrimination in the educational setting (Campbell & Brauer, 2021; Stevens et al, 2018). These findings, grounded in samples from over 100 universities and colleges across the U.S., emphasize the omnipresence of racism experienced by students from underrepresented racial and ethnic groups (Stevens et al, 2018).

Moreover, the majority decision creates an arbitrary distinction between the need for race conscious admissions in higher education versus military academies. As Justice Jackson opines in her dissent:

The Court [majority] has come to rest on the bottom-line conclusion that racial diversity in higher education is only worth potentially preserving insofar as it might be needed to prepare Black Americans and other underrepresented minorities for success in the bunker, not the boardroom (a particularly awkward place to land, in light of the history the majority opts to ignore). (Supreme Court of the United States, 2023, p. 29).

Seemingly, race is a legally permissible factor in college admissions for military recruitment: the race and ethnicity of people of color may be considered when schools prepare students for war, not to study, for example, psychology. Justice Thomas advances the discredited “academic mismatch” hypothesis, arguing that the use of race in holistic admissions leads to the “inevitable” “underperformance” by Black and Latino students at elite universities “because they are less academically prepared than the white and Asian students with whom they must compete” (Supreme Court of the United States, 2023, p. 40-41, 332. Over two decades ago, a pair of seminal studies demonstrated that graduation rates of all students, including racially and ethnically minoritized students, rise as the selectivity of the institution increases (Kane, 1998; Bowen & Bok, 1998). More recently, research has reaffirmed that “the mismatch hypothesis . . . is empirically groundless for [B]lack and Hispanic (as well as for [W]hite and Asian) students.” (Alon & Tienda, 2005.) Another study, which examined nationwide data, found not only that the performance and wellbeing of students of color with lower-than-average SAT scores was *not* undermined, but also that students who benefited from affirmative action earned higher grades and left school at lower rates than other students. (Fischer & Massey, 2007).

In fact, the evidence indicates that race-conscious admissions programs *narrow* racial disparities in retention rates (Alon & Tienda, 2005). Research also demonstrates that racially and ethnically minoritized students who attend selective colleges show an increase in “the completion of advanced degrees, earnings, and overall satisfaction with college experiences.” (Alon & Tienda, 2005).

Justice Sotomayor points out the “debunked” studies on which Justice Thomas relies: “The Court previously declined to adopt this so-called ‘mismatch’ hypothesis for good reason: It was debunked long ago. The decades-old ‘studies’ advanced by the handful of authors upon whom [Justice Thomas] relies have ‘major methodological flaws,’ are based on unreliable data, and do not ‘meet the basic tenets of rigorous social science research.’” (Supreme Court of the United States, 2023, p. 56.)

The U.S. Supreme Court Majority’s Ignorance of Racism on Most Campuses Will Increase the Psychological Damage and Academic Harm Inflicted on Students of Color

Race conscious admissions programs have *redressed* negative psychological and academic effects of racism on many college campuses; they do not cause them (Ayres & Brooks, 2004). Accordingly, the Court majority’s “let-them-eat-cake obliviousness,” (Supreme Court of the United States, 2023, p. 29), of campus racism will increase the profound psychological damage and academic harm inflicted upon students of color at PWIs (Museus et al., 2010).

Psychological researchers have found that when one member of a group is the victim of discrimination, that discrimination can lead to poorer mental health outcomes for all members of the targeted group, harm that does not extend to students who are not members of a community of color. (Bor et al, 2018; Curtis et al, 2021). Such discrimination-based mental health strains may cause stress, anxiety, and depression that, in turn, significantly impact academic achievement (Billingsley & Hurd, 2019).

Other psychological harms, including a feeling of tokenism and lack of belongingness, flow from subtle discrimination and implicit bias in communities lacking sufficient representation of individuals of color. When a student is the *only* person of a social identity within a group, they experience intense, “tokenizing” isolation and have even worse academic outcomes, causing students to “experience relatively greater uncertainty about their belonging in school” (Walton & Cohen, 2011). These feelings often create an internal fear — a “social identity threat” — that one’s actions will prove others’ biases as accurate. (Rosenthal & Crisp, 2006; Spencer et al., 2016). A recent longitudinal study of nearly 2,000 Latino and Black students across 27 colleges and universities found that experiences of discrimination were predictive of poor physical health, increased depression, poorer academic outcomes, and lower graduation rates (Branon & Lin, 2020). Research also shows the enormous emotional pressure of a “model minority” stereotype on Asian American students. (Tran & Birman, 2010). Psychological studies have found that the added cognitive load and related stress may lead students to remove themselves from the classroom or campus altogether. (Rosenthal & Crisp, 2006; Murphy et., al, 2007; Page-Gould et al, 2010; Walton & Cohen, 2011; Locks, et al, 2008).

The Supreme Court’s Overreaching Restrictions on Higher Education Admissions Removes Student Racial and Ethnic Diversity as an Antidote to Many of the Negative Educational Impacts of Discrimination and Prejudice

The Court’s overreaching restrictions on colleges and universities in developing student admissions programs remove student racial and ethnic diversity as an antidote to many of the negative educational impacts of discrimination and prejudice. As the influence of discrimination and prejudice is reduced, psychological phenomena inhibiting academic success for minoritized students become less dominant. (Bowman & Denson, 2022; Pettigrew & Tropp, 2006; Onyeador et al., 2020;). As such phenomena subside, all students are able to engage uninhibitedly in the academic enterprise (Garibay et al, 2018; Hussain et al, 2021; Carey et al, 2022).

A 2021 study by Campbell indicates that diversity is an effective remedy to societal discrimination and prejudice, and suggests that discrimination—while still prevalent—can manifest *differently* on diverse campuses than in general society. The findings suggest that campus diversity reduces the extent of prejudice and makes it easier for university communities to mitigate the impact of the prejudice that remains. Moreover, diversity on college campuses benefits all students; positive intergroup contact with people from a different race/ethnicity leads lower intergroup anxiety, to positive and long lasting changes to students’ attitudes and values (Bowman, 2011; Pettigrew & Tropp, 2011), and to improved critical thinking (Bowman, 2010). The friendships that develop between members of different racial and ethnic groups result in less prejudice and lower intergroup anxiety among those group members (Davies et al., 2013).

As James Baldwin (1962) said, to effectively face the challenge of addressing educational inequity, “Not everything that is faced can be changed, but nothing can be changed until it is faced.”

THEREFORE BE IT RESOLVED that despite this Supreme Court majority decision and the constraints imposed by it, the APA encourages higher education institutions to create, maintain and increase equitable admissions policies that continue to examine the individual holistically, which could include (1) establishing adversity scales, which President Biden has proposed as a new standard “where colleges take into account the adversity a student has overcome when selecting among qualified applicants,” similar to the “socioeconomic disadvantage index” developed by the University of California, Davis medical school (Biden, 2023); (2) eliminating permanently test scores, which data reveal as reflecting significant racial disparities (College Board, 2022); (3) eliminating preferences for the wealthy, such as donors and children of alumni, which President Biden describes as expanding “privilege instead of opportunity,” as have Johns Hopkins University, Amherst College, and the California Institute of Technology, (Biden, 2023; Saul, 2023b); Saul, 2023c); and (4) (a) targeting students at high schools that have a limited history of sending applicants to their school (generally, like the University of Virginia, using the “top percent” model, like the University of Texas, or a “zip code” admissions plan), (b) paying full tuition in geographic areas for students with family incomes of \$150,000 or less, like Duke University, (c) establishing early college programs that allow high school students to take and earn college credit, like Bard College (Brown-Nagin, 2023), and (d) providing academic support and college admissions advice to high school students in low-income communities, such as the University of California system (Saul, 2023d; Saul, 2023e).

BE IT FURTHER RESOLVED that APA calls on higher education institutions to promote the values of inclusion, belonging and diversity within their academic missions, which they “may define . . . as they see fit,” (Supreme Court of the United States, 2023, p. 26), and develop helpful essay prompts for students to highlight how their race and/or ethnicity has affected their lives.

BE IT FURTHER RESOLVED that APA reaffirms its commitment to addressing educational inequities as provided in APA’s Role of Psychology and APA in Dismantling Systemic Racism to “combating every level of racism throughout the education system, from prekindergarten through postsecondary education and lifelong learning, for its devastating effects on the academic, physical, psychological, and economic well-being of people and communities of color” and to “encouraging higher education admissions policies that [include opportunities for applicants to share their] attributes that support [and contribution to] the mission of the institution.” (APA 2021b.)

BE IT FURTHER RESOLVED that APA reaffirms its Racial Equity Action Plan’s commitment to work to address racial inequities within educational environments, including early childhood development, PK-12 schools, and undergraduate and graduate programs (APA, 2022) to foster a healthier academic climate and culture including:

- Utilizing APA’s role in the field and its resources to promote racial equity in educational institutions.
- Through the promotion of resources that address equity and holistic well-being, including intervention and assessment services aimed at improving the success rates of students of color in educational institutions.

- Encouraging and endorsing the teaching of the history, as well as the contemporary nature, of racism in the U.S. to prepare all preschool to higher education students to think critically about identity, community, and civics.
- Advocating for psychologically safe and inclusive educational environments through the development of resources and policies for educators designed to raise awareness about all aspects of privilege and mitigate biases that negatively affect learning and development among students of color.
- Partnering with key stakeholders, inclusive of communities of color and education, to advocate for policies that foster equity for students of color across learning environments in an effort to close the opportunity gap.

BE IT FURTHER RESOLVED that APA encourages psychologists to support and advocate for equitable admissions systems.

[1] See, e.g., Br. of National Association of Scholars in Supp. of Pet'r at 7-10; Br. of Pacific Legal Foundation et al. in Supp. of Pet'r at 22.

[2] see Terrance J. Pell, *Racial Preferences and Formal Equality*, 34 J. Soc. Phil. 309, 310 (2003).

[3] See Melissa Williams, et al., *The Face of STEM: Racial Phenotypic Stereotypicality Predicts STEM Persistence by—and Ability Attributions About—Students of Color*, 116 J. Personality & Soc. Psychol. 416 (2019); Mitchell J. Chang et al., *Considering the Impact of Racial Stigmas and Science Identity: Persistence Among Biomedical and Behavioral Science Aspirants*, 82 J. Higher Educ. 564, 586 (2011).

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F. The Board provided feedback on the update from Maysa Akbar, PhD, Chief Diversity Officer and Chief of Psychology in the Public Interest, regarding the organization of the staff in the Equity, Diversity and Inclusion, Public Interest and Leadership Development Institute offices.

BOARD OF DIRECTORS

July 18, 2023

APPROVED MINUTES

Board Members Present: Thema S. Bryant, PhD; Cynthia de las Fuentes; Frank C. Worrell, PhD; Michael L. Hendricks, PhD; Kathleen S. Brown, PhD; Arthur C. Evans Jr., PhD; Candice N. Hargons, PhD; Debra M. Kawahara, PhD; Tamara S. Lyn, PhD, ABPP; Mary Ann McCabe, PhD, ABPP; Robin E. Mockenhaupt, PhD; Arlene Noriega, PhD; Tiffany Parisi, MPH; David T. Susman, PhD

Board Members Absent: M. Lynne Cooper, PhD; Luz Maria Garcini, PhD, MPH

- A. The Board voted to recommend that Council receive the Board of Scientific Affairs Task Force Report on Tenure and Promotion of Faculty of Color.
- B. The Board voted to recommend that Council approve the following amendments to the Association Rules (underlined material to be added):

90-5. AGENDA PLANNING GROUP

The Agenda Planning Group shall be composed of the APA President, who shall serve as chair; the chairs of the Policy and Planning Board, the Board of Professional Affairs, the Board of Scientific Affairs, the Board for the Advancement of Psychology in the Public Interest, the Board of Educational Affairs, the Committee on Division/APA Relations, the American Psychological Association of Graduate Students, the Committee on Early Career Psychologists, the Committee on Global Psychology, the Committee for the Advancement of General Applied Psychology, a member of the Finance Committee as determined by the Finance Committee and a member of the Council Leadership Team (CLT) as determined by CLT.

- C. The Board voted to recommend that Council approve forwarding to the Membership for a vote the following amendments to Article X, Section 1 of the APA Bylaws (bracketed/strikethrough material to be deleted; underlined material to be added):

ARTICLE X

Nominations and Elections

1. The Election Committee shall issue annually a call to all voting members of the Association for nominations for the office of President-elect. The nomination ballots shall provide spaces for nomination of at least three names of Members to be listed in order of preference. Forty-five days after sending the nomination ballots, the Election Committee shall close nominations and shall make a preferential count of nominees for President-elect. The Election Committee shall then prepare for the final election ballot a slate including the names of [the] up to five [persons] Members of the Association who receive the largest numbers of nominating votes provided those Members also have a minimum of thirty nominating votes. If there are not two Members who receive thirty or more nominating

votes, the Election Committee shall slate the two Members who receive the largest number of nominating votes.

The Board voted to recommend that Council approve amending Association Rule 110.2.3 and 110-8 as follows (bracketed/strikethrough material to be deleted; underlined material to be added):

110. ELECTIONS AND APPOINTMENTS

110-2.3 President-elect nominations. In the nomination of candidates for the office of President-elect, each APA voting member may nominate up to five ~~[candidates]~~ Members of the Association. The Election Committee shall then prepare for the final election ballot a slate including the names of up to five Members who receive the largest numbers of nominating votes provided those Members also have a minimum of thirty nominating votes. If there are not two Members who receive thirty or more nominating votes, the Election Committee shall slate the two Members who receive the largest number of nominating votes. The selection of the ~~[five]~~ persons who receive the largest number of nominating votes and who are willing to serve if elected shall be determined by the use of the single transferable ballot (English System). Ballots shall be counted in the following manner: (a) ballots are sorted for first choice on each ballot; (b) the candidate(s) receiving the lowest number(s) of first place votes is declared defeated, and his or her ballots are transferred to the voter's second choice. This procedure does not use a quota. The process of declaring defeated the candidate having the lowest number of votes after each count, and of transferring their ballots to the voter's next choice of those candidates not yet defeated, continues. If there is no next choice, the ballot is declared exhausted and set aside. As each potential nominee achieves sufficient votes to be nominated, that person will be approached to ascertain willingness to serve. If a candidate is unwilling, the candidate's votes will be reallocated to the remaining nominees. (c) This process of counting continues until there are ~~[five]~~ at least two candidates having the highest number of votes and who are willing to serve if elected.

110-8. PRESIDENT-ELECT ELECTION

110-8.1 The election of APA President-elect is conducted by the Election Committee.

110-8.2 Candidates are nominated by Fellows, Members, Associate members with voting privileges, and Graduate Student members with voting privileges. Nominations are made by preferential ballots, and up to five names may be listed in rank order. Nomination ballots are sent on or about March 1. The balloting period closes within 45 days. Only APA ~~[m]~~ Members are eligible for nomination.

110-8.3 The APA President-elect shall be elected by Fellows, Members, and those Associate members and Graduate Student members who have been granted voting privileges. The election ballot shall be preferential and shall list ~~[five candidates]~~ the names of up to five Members who receive the largest numbers of nominating votes provided those Members also have a minimum of thirty nominating votes. If there are not two Members who receive thirty or more nominating votes, the Election Committee shall slate the two Members who receive the largest number of nominating votes. Final election ballots shall be sent on or about August 1. The balloting period shall close within 45 days.

Each candidate is invited to submit a statement, to be sent with the election ballot, of no more than 1,000 words, stating [~~his or her~~] their opinion of issues facing psychology and of the role APA should play regarding these issues.

110-8.4 Results are reported to the Board of Directors. Tallied results are reported to Council no more than 30 days after the ballot closes. Election results are published on APA's website. The above Rule changes would become effective if, and when the Bylaw amendment is approved by the Membership.

D. The Board voted to recommend that Council adopt as APA policy the following *Statement on Developmental Risks and Opportunities in Adolescent Employment*:

APA Policy Statement on Developmental Risks and Opportunities in Adolescent Employment

A Call for Action:

In highlighting existing knowledge gaps, APA calls upon the field of psychology and policymakers to support increased research, monitoring, intervention, advocacy, and policy to inform and guide safe labor practices for adolescents, protect educational attainment and opportunities for future earnings, promote equity, prevent exploitation and abuse, strengthen families, and reduce risk of short-term and long-term harm for lifespan development.

Specifically, APA makes a call for all stakeholders – including, but not limited to, psychologists, healthcare professionals, employers, educators, and policymakers – to:

- Advocate for federal and private funding and new avenues for research on adolescent labor within the present-day context, including extension of the research on adult employment and longitudinal developmental science with diverse populations that may clarify unique risks and opportunities for employment during adolescence that affect the lifespan.
- Advance equity and social justice efforts to protect the human rights and wellbeing of marginalized youth and their families in the labor market. This includes promoting research with diverse populations that examines biopsychosocial factors at multisystemic levels (micro, meso, exo, macro) for developing policy, considering that the landscape for adolescent employment differs among youth from various backgrounds, family contexts, and lived experiences.

APA calls on institutions, organizations, and federal and state agencies working with youth to develop and disseminate culturally and linguistically responsive educational programs to increase awareness among adolescents, their parents/caregivers and employers about their legal rights and protections.

APA calls on educational and school systems to uphold their affirmative responsibilities and implement programs that ensure school attendance and completion. These systems need to educate adolescents and parents/caregivers about the labor

market to prevent exploitation and ensure academic advancement. Schools should increase their engagement in positive prevention strategies to reduce drop-out rates and address chronic absenteeism rather than rely primarily on punitive truancy strategies, which may worsen education inequities.

APA calls on employers, in collaboration with psychologists and other subject matter experts, to adopt best practices for adolescent employment, including establishing safe working environments for them (including work hours) across diverse work settings, along with adequate enforcement to ensure compliance.

APA calls on state and federal agency officials to increase enforcement of laws, regulations and penalties for industries and employers engaging in exploitative and detrimental youth labor practices that compromise the health, wellbeing, and economic advancement of adolescents in the labor market. This includes modernizing and expanding hazardous occupation limits to better protect adolescents at work, increasing staffing of the DOL's Wage and Hour Division to investigate child labor violations, and enforcing age verification.

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E. The Board expressed support for the proposal to increase funding for State, Provincial and Territorial Psychological Associations from the APASI budget beginning in 2024.

F. The Board voted to recommend that Council approve the following resolution:

Whereas New Business Items require movers to include a statement about the impact on marginalized People of Color and people from other marginalized populations;

Whereas the members of the Council Effectiveness Workgroup #3 identified that the statements submitted with new NBIs vary in how well they identify and address the impact of the proposed NBI on marginalized People of Color and people from other marginalized populations;

Council therefore adopts the following policy:

The Council seeks to improve the impact and utility of Diversity Impact Statements by educating Council members about Diversity Impact Statements and how to write them.

The Council Leadership Team, in consultation with the APA Racial and Ethnic Diversity (RED) Consultative Task Force, will appoint a work group to develop guidance, including an educational tool/rubric, to assist Council members with drafting the Diversity Impact Statement component of Council New Business Items (NBIs). In alignment with APA's Equity, Diversity, Inclusion (EDI) Framework, this guidance will help to assure that Council members actively seek to center the perspectives and voices of social identity groups that are or have been disenfranchised or marginalized, ensuring these opinions are elevated and represented in APA policymaking. The work

group is asked to report back to the Council Leadership Team with their recommendations before the February 2024 Council Meeting. The following considerations for drafting the Diversity Impact Statement may be incorporated into the guidance, to also include the educational tool/rubric:

- (1) The statement may include a description of the way in which the motion will or will not impact marginalized people of color and people from other marginalized populations differently based on various marginalized identities (e.g., race, ethnicity, religion, sexual orientation, gender, gender expression, disability, age, or country of ancestral origin).
- (2) The statement may reference historic and current disparities and existing efforts to address these disparities.
- (3) The statement may include a description of how the concerns of members of marginalized populations have been considered and addressed in the NBI.
- (4) The statement may include a representation that there are no discernable impacts based on various marginalized identities (e.g. race, ethnicity, religion, sexual orientation, gender, gender expression, disability, age, or country of ancestral origin), if applicable.
- (5) The statement may also demonstrate specific areas in which NBIs may advance the work of APA's Racial Equity Action Plan.

The guidance, educational tool/rubric are intended to educate members on how to write strong statements that incorporate the minimization of marginalization and foster an organizational culture of inclusiveness.

In 2025, after the guidance, educational tool/rubric related to Diversity Impact Statements are in place, a subcommittee of not more than seven Council members which includes members who identify as people of color from marginalized groups, other Council members, and at least one member of the RED Consultative Task Force shall be charged with submitting a report to Council addressing the following: (1) a review of all NBIs submitted to Council since between February 2024 and December 2024, as well as a selection of NBIs submitted before the guidance was in place, and, without critique individual Diversity Impact Statements for the purpose of influencing the Council's decision on any motion, evaluating whether the more recent Diversity Impact Statements comply with the guidance and positively impact APA's priorities to advance racial equity; (2) whether modifications to the guidance, educational tools/rubric are recommended to improve the Diversity Impact Statements; and (3) offering a proposal regarding whether there should be a continuous committee to examine diversity impact statements going forward on an annual basis.

CLT shall include the guidance, educational tool/rubric, and the report (when available) in the Council new member orientation program, calling upon the RED Consultative Task Force for assistance as needed.

- G. The Board received an update on second quarter financials for the APA and APASI budgets.

H. The Board was informed of the land acknowledgement plaque to be displayed in the lobby of APA headquarters.