

COUNCIL OF REPRESENTATIVES

August 2 & 3, 2023

APPROVED MINUTES

I. MINUTES OF MEETING

A.(1) Council voted to approve the minutes of its February 24 & 25, 2023, meeting.

II. ELECTIONS, AWARDS, MEMBERSHIP AND HUMAN RESOURCES

A.(2) Council voted to elect the 132 members listed to Fellow status, on the nomination of the indicated divisions and on the recommendation of the Fellows Committee and the Board of Directors.

Additionally, Council supported referring the following motion to the Fellows Committee:

That Council requests that if the Fellows Committee recommends any future non-doctoral Fellows candidate, Council be provided with a summary containing the rationale for recommended fellow status.

B.(3) Council voted to approve the following amendments to the Association Rules (bracketed/strikethrough material to be deleted; underlined material to be added):

90-8. NEEDS ASSESSMENT, SLATING AND CAMPAIGNS COMMITTEE

With the exception of the President-elect, whose slate is developed by nominations from the membership, there shall be a Needs Assessment, Slating and Campaigns Committee (NASCC) that shall conduct an annual needs assessment and develop slates for any seats on the Board of Directors and on Council that are elected by and from the general membership, solicit and vet candidates for the election slates, and help the Election Committee set the criteria and procedures for campaigning and for disseminating information about the candidates to the membership. NASCC shall also develop the slate for the public member of the Board.

The Committee shall consist of seven members, including one public member. Members will have three-year terms and may only serve one term on the Committee.

The APA President, President-Elect and Past President shall appoint three of the members, including the public member, after broad consultation. On a rotating basis, each of the following boards shall appoint one member to the Committee: the Board for the Advancement of Psychology in the Public Interest, Board of Educational Affairs, Board of Professional Affairs, and Board of Scientific Affairs.

Each year two members shall be appointed for three-year terms, one by the APA President, President-Elect and Past President and one by the above named boards. Every third year the fourth board will appoint an additional member.

Individuals are not permitted to serve on NASCC if they have served on the Board of Directors[,] or Council of Representatives[~~, or any APA board or committee~~] in the past year and may not

serve on ~~[any]~~ either of these groups for at least ~~[two]~~ one year[s] following the completion of their service on NASCC. ~~[Members of NASCC are not permitted to serve concurrently in any elected officer positions in any Divisions or state/provincial/territorial associations.]~~

C.(4) Council voted to approve 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.

110-14.2~~3~~ 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 Subspecialties 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~~for~~ 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 Subspecialties in Professional Psychology

D.(5) Council voted to 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 three Members who receive thirty or more nominating votes, the Election Committee shall slate the three Members who receive the largest number of nominating votes.

Council also voted to approve amending APA's Association Rules as follows to become effective if and when the above Bylaws changes are approved by the Membership (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 three Members who receive thirty or more nominating votes, the Election Committee shall slate the three 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 three 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 privilege. 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 three Members who receive thirty or more nominating votes, the Election Committee shall slate the three 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 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.

An explanatory statement and statements in favor of and against the amendment will accompany the Bylaws amendment ballot.

III. ETHICS

No items.

IV. BOARD OF DIRECTORS

No items.

V. DIVISIONS AND STATE AND PROVINCIAL AND TERRITORIAL ASSOCIATIONS

No items.

VI. ORGANIZATION OF THE APA

A.(6) Council voted to receive the report of the Council Effectiveness Oversight Task Force.

Council voted to approve the following motion:

That Council requests relevant Association Rule changes be brought back to Council at its February 2024 meeting with a request that Council vote on whether to remove the requirement that the Council Leadership Team provide a recommendation on action items coming forward to Council for consideration. Council charges the Council Leadership Team with addressing legal concerns in developing the motion for Council consideration.

Council also requested that this be the topic of a town hall session in advance of the February 2024 meeting.

Council voted to approve the following motion regarding Council New Business Item diversity impact statements:

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 /and a 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 and/or 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 marginalized people of color and people from other 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/ and 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/ and 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 populations, members who identify as members of other marginalized populations, 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 critiquing individual Diversity Impact Statements for the purpose of influencing the Council's decision on any motion, evaluate if Diversity Impact Statements reflect the guidance, educational tools and/or rubric and effectively communicate relevant issues and concerns; and (2) whether modifications to the guidance, educational tools and/or rubric are recommended to improve the Diversity Impact Statements.

Starting in 2026 a subcommittee will be selected each year as described in the previous paragraph to continue this process on an annual basis. The committee will report to next year's Council.

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.

If the Racial and Ethnic Diversity (RED) Consultative Task Force is renamed, reorganized, or ends; the CLT in consultation with the representatives of the Ethnic Psychological Associations will designate a successor group to continue the role of RED in this policy.

Council voted to support the creation of Council policy forums that will focus on topics suggested by Council members. The APA President and the Council Leadership Team Chair shall create a process where Council members can participate in proposing, organizing, and scheduling these informal, non-voting policy forums as needed.

Council voted to approve the following motion:

That Council charges the Council Leadership Team with facilitating the Council Effectiveness Implementation Oversight Task Force recommendations regarding the Council Effectiveness Work Group motions and providing Council with quarterly updates on the implementation progress. If the Council Leadership Team chooses to modify or discontinue the implementation of specific Council Effectiveness Implementation Oversight Task Force recommendations, the Council Leadership Team will bring their proposals back to Council for discussion and a vote. The Council Leadership Team will also bring to Council for discussion and vote any recommendations on the Council Effectiveness Work Group motions labelled “needing further discussion” in the original Council Effectiveness Work Group report.

B.(7) Council voted to receive the report of the Council Leadership Team Evaluation Task Force.

C.(8) Council voted to 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.

D.(9) Council voted to adopt as APA policy the following *Statement on Equitable and Inclusive Student Admissions in Higher Education*:

**2023 APA Policy Statement on Equitable and
Inclusive Student Admissions in Higher Education**

On June 29, 2023, a majority of the U.S. Supreme Court struck down the use of race-conscious admissions programs in public and private colleges and universities. In so ruling, the Court majority overturned decades of legal precedent and ignored 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. The court majority decided that such admissions policies violate the Equal Protection Clause of the 14th Amendment of the U.S. Constitution. Justice Ketanji Brown Jackson wrote 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. President and Fellows of Harvard College*, 2023, p. [233])

The Supreme Court majority in *Students for Fair Admissions, Inc. v. Harvard College* and *Students for Fair Admissions, Inc. v. University of North Carolina* (2023) suggests that it is applying *Grutter v. Bollinger* (2003), which upheld the race-conscious admissions program at the University of Michigan and found diversity to be a compelling state interest. However, Justice Clarence Thomas admits in his concurring opinion, “*Grutter* is, for all intents and purposes, overruled” (p. [106]).

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” (pp. [207–208]). Or, as Justice Jackson wrote, the court majority’s decision is “unmoored from critical 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” (p. [233]).

The U.S. Supreme Court’s 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) or tribal colleges and universities. 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%. Other studies have observed similar impacts (Garces, 2013). The drop in admitted students of color at Primarily White Institutions (PWIs) 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. The number of Black students at the University of California, Los Angeles fell from 7% in 1996 to 3.43% in 1998 after California passed Proposition 209, banning race-conscious admissions, in 1996 (Saul, 2023d).

The court majority’s ruling will exacerbate existing racism on most college campuses. Racism at PWIs is not only individualistic, but also institutional and structural. Such systemic 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 intersectional 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. (pp. [201–202])

Race-conscious admissions programs in higher education have been one important way to address systemic racism across U.S. educational systems. As APA’s Statement on Dismantling Systemic Racism explains:

Racism permeates every level of the landscape of education in the United States. . . , 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 (APA, 2021b, p. 1)

The statement further recognizes that “students of color are increasingly enrolled in majority-underserved, high-poverty schools and school segregation is associated with significant racial disparities . . . (APA, 2021b, p. 2).

The Majority and Justice Thomas (in His Concurrence) Ignore Compelling Psychological Evidence and Rely on Discredited Studies

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

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. (p. [236])

The court majority opinion and Justice Thomas’ concurrence failed 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 United States, emphasize the omnipresence of racism experienced by students from underrepresented racial and ethnic groups (Stevens et al., 2018).

In banning race-conscious admissions at higher education institutions, the court majority exempts military academies. As Justice Jackson opines in her dissent:

The Court 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). (p. [237])

Seemingly, the race and ethnicity of students may be considered when schools prepare them for war, but not to study psychology.

Furthermore, Justice Thomas advances in his concurrence the discredited “academic mismatch” hypothesis, arguing that the use of race in holistic admissions leads to the “inevitable” “underperformance” by Black and Latinx students at elite universities “because they are less academically prepared than the [W]hite and Asian students with whom they must compete” (p.

[88]; *Fisher v. University of Texas*, 2013). 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 (Bowen & Bok, 1998; Kane, 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, p. 21). Another study, which examined nationwide data, found not only that the performance and well-being of racial minority students 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 racial and ethnic minority students who attend selective colleges show an increase in “the completion of advanced degrees, earnings, and overall satisfaction with college experiences” (Alon & Tienda, 2005, p. 23). Justice Sotomayor points out in her dissent 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.” (p. [195])

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, 2005). Accordingly, the court majority’s “let-them-eat-cake obliviousness” (p. [233]) of campus racism will increase the profound psychological damage and academic harm inflicted upon students of color at PWIs (Museus et al., 2012).

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 impact members of the majority group within the same community (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 a 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, p. xx). 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 Latinx 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 (Brannon & Lin,

2021). 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 (Locks, et al., 2008; Murphy et al., 2007; Page-Gould et al., 2010; Rosenthal & Crisp, 2006; Walton & Cohen, 2011).

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 removes overt consideration of 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; Onyeador et al., 2020; Pettigrew & Tropp, 2006). As such phenomena subside, all students are able to engage uninhibitedly in the academic enterprise (Carey et al., 2022; Garibay et al., 2018; Hussain et al., 2021).

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 to 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 the APA encourages higher education institutions to create, maintain, and increase equitable admissions policies that continue to examine the individual holistically, which could include:

- establishing adversity scales, which President Joe Biden has proposed as a new standard “where colleges take into account the adversity a student has overcome when selecting among qualified applicants” (The White House, 2023), similar to the “socioeconomic disadvantage index” developed by the University of California, Davis medical school;
- reviewing portfolios inclusive of a range of factors associated with the necessary qualities and skills of a successful student and professional;
- eliminating preferences for the wealthy, such as donors and children of alumni, which President Biden describes as expanding “privilege instead of opportunity” (The White House, 2023), as

have Johns Hopkins University, Amherst College, and the California Institute of Technology (Saul, 2023a; Saul, 2023e); and

- 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 system; or a “ZIP code” admissions plan), paying full tuition in geographic areas for students with family incomes of \$150,000 or less (like Duke University), establishing early college programs that allow high school students to take and earn college credit (like Bard College) (Brown-Nagin, 2023), and providing academic support and college admissions advice to high school students in low-income communities (such as the University of California system) (Saul, 2023b; Saul, 2023c).

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” (*Students for Fair Admissions, Inc. v. Harvard College*, 2023, p. [34]), 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 Resolution on the Role of Psychology and APA in Dismantling Systemic Racism by “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 contribute 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, prekindergarten to grade 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.
- Promoting 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 United States 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 to 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 faculty members who serve on admissions committees to support and advocate for equitable and inclusive admissions systems.

References

- Alon, S., & Tienda, M. (2005). Assessing the “mismatch” hypothesis: Differences in college graduation rates by institutional selectivity. *Sociology of Education*, 78(4), 294–315. <https://doi.org/10.1177/003804070507800402>
- American Psychological Association. (2021a). *Inclusive language guidelines*. <https://www.apa.org/about/apa/equity-diversity-inclusion/language-guidelines>
- American Psychological Association. (2021b). *Role of psychology and APA in dismantling systemic racism against people of color in U.S.* <https://www.apa.org/about/policy/dismantling-systemic-racism>
- American Psychological Association. (2022). *Psychology’s role in dismantling system racism: Racial equity action plan*. <https://www.apa.org/about/apa/addressing-racism/racial-equity-action-plan.pdf>
- Ayres, I., & Brooks, R. (2005). Does affirmative action reduce the number of Black lawyers? *Stanford Law Review*, 57(6), 1807–1854.
- Baldwin, J. (1962, January 14). As much truth as one can bear: To speak out about the world as it is. *New York Times*.
- Billingsley, J.T., & Hurd, N. M. (2019). Discrimination, mental health and academic performance among underrepresented college students: The role of extracurricular activities at predominantly White institutions. *Social Psychology of Education*, 22, 421–446. <https://doi.org/10.1007/s11218-019-09484-8>
- Bor, J., Venkataramani, A. S., Williams, D. R., & Tsai, A. C. (2018). Police killings and their spillover effects on the mental health of Black Americans: A population-based, quasi-experimental study. *The Lancet*, 392(10144), 302–310. [https://doi.org/10.1016/S0140-6736\(18\)31130-9](https://doi.org/10.1016/S0140-6736(18)31130-9)
- Bowen, W. G., & Bok, D. (1998). *The shape of the river: Long-term consequences of considering race in college and university admissions*. Princeton University Press. <https://doi.org/10.1515/9781400882793>
- Bowman, N. A. (2010). College diversity experiences and cognitive development: A meta-analysis. *Review of Educational Research*, 80(1), 4–33. <https://doi.org/10.3102/0034654309352495>
- Bowman, N. A. (2011). Promoting participation in a diversity democracy: A meta-analysis of college diversity experiences and civic engagement. *Review of Educational Research*, 81(1), 29–68. <https://doi.org/10.3102/0034654310383047>
- Bowman, N. A., & Denson, N. (2022). Institutional racial representation and equity gaps in college graduation. *The Journal of Higher Education*, 93(3), 399–423. <https://doi.org/10.1080/00221546.2021.1971487>
- Brannon, T. N., & Lin, A. (2021). “Pride and prejudice” pathways to belonging: Implications for inclusive diversity practices within mainstream institutions. *American Psychologist*, 76(3), 488–501. <https://doi.org/10.1037/amp0000643>
- Brown-Nagin, Tomiko. (2023, July 5). Why we can’t give up on difference. *New York Times*.

- Campbell, M. R., & Brauer, M. (2021). Is discrimination widespread? Testing assumptions about bias on a university campus. *Journal of Experimental Psychology: General*, 150(4), 756–777. <https://doi.org/10.1037/xge0000983>
- Carey, R. M., Stephens, N. M., Townsend, S. S., & Hamedani, M. G. (2022). Is diversity enough? Cross-race and cross-class interactions in college occur less often than expected, but benefit members of lower status groups when they occur. *Journal of Personality and Social Psychology*, 123(5), 889–908. <https://doi.org/10.1037/pspa0000302>
- Carnevale, A.P., Schmidt, P., & Strohl, J. (2023). *Race, elite college admissions, and the courts: The pursuit of racial equality in education retreats to K–12 schools*. Georgetown University Center on Education and the Workforce. cew.georgetown.edu/after-affirmative-action
- College Board. (2018). *Understanding holistic review in higher education admissions: Guiding principles and model illustrations*. <https://professionals.collegeboard.org/pdf/understanding-holistic-review-he-admissions.pdf>
- College Board. (2022). *SAT suite of assessments annual report*. <https://reports.collegeboard.org/media/pdf/2022-total-group-sat-suite-of-assessments-annual-report.pdf>
- Curtis, D. S., Washburn, T., Lee, H., Smith, K. R., Kim, J., Martz, C. D., Kramer, M. R., & Chae, D. H. (2021). Highly public anti-Black violence is associated with poor mental health days for Black Americans. *Proceedings of the National Academy of Sciences*, 118(17), e2019624118. <https://doi.org/10.1073/pnas.2019624118>
- Davies, K., Wright, S. C., Aron, A., & Comeau, J. (2013). Intergroup contact through friends: Intimacy and norms. In G. Hodson & M. Hewstone (Eds.), *Advances in intergroup contact* (pp. 200–229). Psychology Press.
- Engberg, M. E. (2007). Educating the workforce for the 21st century: A cross-disciplinary analysis of the impact of the undergraduate experience on students' development of a pluralistic orientation. *Research in Higher Education*, 48(3), 283–317. <https://doi.org/10.1007/s11162-006-9027-2>
- Fischer, M. J., & Massey, D. S. (2007). The effects of affirmative action in higher education. *Social Science Research*, 36(2), 531–549. <https://doi.org/10.1016/j.ssresearch.2006.04.004>
- Garces, L. M. (2013). Understanding the impact of affirmative action bans in different graduate fields of study. *American Educational Research Journal*, 50(2), 251–284. <https://doi.org/10.3102/0002831212470483>
- Garibay, J. C., & Vincent, S. (2018). Racially inclusive climates within degree programs and increasing student of color enrollment: An examination of environmental/sustainability programs. *Journal of Diversity in Higher Education*, 11(2), 201–220. <https://doi.org/10.1037/dhe0000030>
- Gomez, L. E., & Bernet, P. (2019). Diversity improves performance and outcomes. *Journal of the National Medical Association*, 111(4), 383–392. <https://doi.org/10.1016/j.jnma.2019.01.006>
- Hehman, E., Mania, E. W., & Gaertner, S. L. (2010). Where the division lies: Common ingroup identity moderates the cross-race facial-recognition effect. *Journal of Experimental Social Psychology*, 46(2), 445–448. <https://doi.org/10.1016/j.jesp.2009.11.008>
- Hussain, M., & Jones, J. M. (2021). Discrimination, diversity, and sense of belonging: Experiences of students of color. *Journal of Diversity in Higher Education*, 14(1), 63–71. <https://doi.org/10.1037/dhe0000117>

- Kane, T. J. (1998). Misconceptions in the debate over affirmative action in college admissions. In G. Orfield & E. Miller (Eds.), *Chilling admissions: The affirmative action crisis and the search for alternatives*. Harvard Education Publishing Group.
- Lemay, E. P., Jr., & Ryan, J. E. (2021). Common ingroup identity, perceived similarity, and communal interracial relationships. *Personality and Social Psychology Bulletin*, 47(6), 985–1003. <https://doi.org/10.1177/0146167220953984>
- Locks, A. M., Hurtado, S., Bowman, N. A., & Oseguera, L. (2008). Extending notions of campus climate and diversity to students' transition to college. *The Review of Higher Education*, 31(3), 257–285. <https://doi.org/10.1353/rhe.2008.0011>
- Ly, D. P., Essien, U. R., Olenski, A. R., & Jena, A. B. (2022). Affirmative action bans and enrollment of students from underrepresented racial and ethnic groups in U.S. public medical schools. *Annals of Internal Medicine*, 175(6), 873–878. <https://doi.org/10.7326/M21-4312>
- Murphy, M. C., Steele, C. M., & Gross, J. J. (2007). Signaling threat: How situational cues affect women in math, science, and engineering settings. *Psychological Science*, 18(10), 879–885. <https://doi.org/10.1111/j.1467-9280.2007.01995.x>
- Museum, S. D., Jayakumar, U. M., & Robinson, T. (2012). Modeling racial differences in the effects of racial representation on 2-year college student success. *Journal of College Student Retention: Research, Theory & Practice*, 13(4), 549–572. <https://doi.org/10.2190/CS.13.4.g>
- National Center for Education Statistics. (2022). Hate crime incidents at postsecondary institutions. *Condition of Education*. U.S. Department of Education, Institute of Education Sciences. <https://nces.ed.gov/programs/coe/indicator/a22>
- Onyeador, I. N., Wittlin, N. M., Burke, S. E., Dovidio, J. F., Perry, S. P., Hardeman, R. R., Dyrbye, L. N., Herrin, J., Phelan, S. M., & van Ryn, M. (2020). The value of interracial contact for reducing anti-Black bias among non-Black physicians: A cognitive habits and growth evaluation (CHANGE) study report. *Psychological Science*, 31(1), 18–30. <https://doi.org/10.1177/0956797619879139>
- Page-Gould, E., Mendoza-Denton, R., Alegre, J. M., & Siy, J. O. (2010). Understanding the impact of cross-group friendship on interactions with novel outgroup members. *Journal of Personality and Social Psychology*, 98(5), 775–793. <https://doi.org/10.1037/a0017880>
- Pettigrew, T. F., & Tropp, L. R. (2006). A meta-analytic test of intergroup contact theory. *Journal of Personality and Social Psychology*, 90(5), 751–783. <https://doi.org/10.1037/0022-3514.90.5.751>
- Pettigrew, T. F., & Tropp, L. R. (2011). *When groups meet: The dynamics of intergroup contact*. Psychology Press.
- Quinton, W. J. (2019). Unwelcome on campus? Predictors of prejudice against international students. *Journal of Diversity in Higher Education*, 12(2), 156–169. <https://doi.org/10.1037/dhe0000091>
- Rosenthal, H. E. S., & Crisp, R. J. (2006). Reducing stereotype threat by blurring intergroup boundaries. *Personality and Social Psychology Bulletin*, 32(4), 501–511. <https://doi.org/10.1177/0146167205281009>
- Saul, S. (2023a, June 29), Pressure may build to end advantages for children of alumni. *New York Times*.
- Saul, S. (2023b, June 29). Universities may turn to alternatives to race-conscious admissions. *New York Times*.
- Saul, S. (2023c, June 30). Five ways college admissions could change. *New York Times*.
- Saul, S. (2023d, June 30). What the affirmative action ruling means for colleges and universities. *New York Times*.

- Saul, S. (2023e, July 3). Harvard's admissions is challenged for favoring children of alumni. *New York Times*.
- Spencer, S. J., Logel, C., & Davies, P. G. (2016). Stereotype threat. *Annual Review of Psychology*, 67(1), 415–437. <https://doi.org/10.1146/annurev-psych-073115-103235>
- Stevens, C., Liu, C. H., & Chen, J. A. (2018). Racial/ethnic disparities in US college students' experience: Discrimination as an impediment to academic performance. *Journal of American College Health*, 66(7), 665–673. <https://doi.org/10.1080/07448481.2018.1452745>
- Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*, 600 U.S. ____ (2023). <https://www.oyez.org/cases/2022/20-1199>. Full text: https://www.supremecourt.gov/opinions/22pdf/20-1199_hgdj.pdf
- Students for Fair Admissions, Inc. v. University of North Carolina*, 600 U.S. ____ [citation pending] (2023). <https://www.oyez.org/cases/2022/21-707>
- U.S. Bureau of Labor Statistics. (2020, April 28). *Economic news release: College enrollment and work activity of high school graduates*. U.S. Department of Labor. http://www.bls.gov/news.release/archives/hsgec_04282020.htm
- Van Bavel, J. J., & Cunningham, W. A. (2009). Self-categorization with a novel mixed-race group moderates automatic social and racial biases. *Personality & Social Psychology Bulletin*, 35(3), 321–335. <https://doi.org/10.1177/0146167208327743>
- Walton, G. M., & Cohen, G. L. (2011). A brief social-belonging intervention improves academic and health outcomes of minority students. *Science*, 331(6023), 1447–1451. <https://doi.org/10.1126/science.1198364>
- The White House. (2023, June 29). *Remarks by President Biden on the Supreme Court's decision on affirmative action*. <https://www.whitehouse.gov/briefing-room/speeches-remarks/2023/06/29/remarks-by-president-biden-on-the-supreme-courts-decision-on-affirmative-action/>
- Wright, D. B., Boyd, C. E., & Tredoux, C. G. (2003). Inter-racial contact and the own-race bias for face recognition in South Africa and England. *Applied Cognitive Psychology*, 17(3), 365–373. <https://doi.org/10.1002/acp.898>

E.(10) Council voted to adopt as APA policy the following *Resolution to Oppose Mental Health Screening Questions on Character and Fitness Examinations for Licensure to Practice Law*:

RESOLUTION TO OPPOSE MENTAL HEALTH SCREENING QUESTIONS ON CHARACTER AND FITNESS EXAMINATIONS FOR LICENSURE TO PRACTICE LAW

WHEREAS admission to the practice of law involves an evaluation of substantive knowledge, tested through the administration of the bar examination and a separate evaluation of character and fitness;

WHEREAS, the purpose of such questions is “to identify issues that could affect the responsible and competent practice of law ... [and] information [that] could bear a relationship to the applicant’s ability to practice law in a competent manner” [American Bar Association \(2020\)](#);

WHEREAS thirty-seven states and D.C. include one or more questions on their character and fitness questionnaire referencing the mental health status of applicants ([ABA, 2023](#)), which can include a statement that it is the applicant’s responsibility to “check with your treating health care professional” regarding diagnoses (e.g., in Kentucky);

WHEREAS these questions can require disclosure of (some examples below):

- **Diagnoses** (“In the past 10 years, have you been diagnosed with, been treated or sought counseling for bi-polar disorder, schizophrenia, paranoia, or any other psychiatric disorder, or have you ever been committed to any institution for the treatment of any such condition?” (e.g., in Nevada))
- **Current conditions** (Whether an applicant has “a current condition or impairment (including, but not limited to, substance abuse, alcohol abuse, or a mental, emotional, or nervous disorder or condition) which affects your conduct that has not been or is not currently being treated effectively or for which the treatment is unstable” (e.g., in Utah))
- **Treatment** (Whether an applicant has sought treatment in the past five years for their “conduct or behavior” (e.g., in Virginia))
- Participation “in a monitoring or support program” (e.g., in Rhode Island, South Carolina)
- Whether the applicant has ever “since the age of 18... been declared legally incompetent, been placed under conservatorship or guardianship, been involuntarily hospitalized, or been placed under an involuntary hold” (e.g., in Minnesota)
- Whether the applicants “functioning at school or at work [has] ever been sufficiently impaired (as the result of substance abuse, alcohol abuse, or a mental, emotional, or nervous or behavior disorder or condition) as to require inpatient or outpatient treatment” (e.g., in Georgia);

WHEREAS research finds that a significant number of law students have struggled or currently struggle with mental health issues during law school (ABA, 2020); including that more than one in six screened positive for depression and nearly one in four for anxiety (Organ et al., 2016);

WHEREAS the [Bazelon Center for Mental Health Law](#) investigated character and fitness questions in all 50 states and found that a number of states ask questions:

- “that are not limited in time or scope or seek applicant responses that appear overbroad with respect to the period of time sought and are not directed at an applicant’s ability to practice law”;
- “related to an applicant’s diagnosis, rather than to the applicant’s conduct or behavior” despite resolutions adopted in opposition of such information”; and
- “that can result in requiring disclosure of significant personal health care information, medications, and diagnostic notes, which are not only invasive but may come at a burdensome cost to the applicant”;

WHEREAS “bar examiners — lay people with no training in psychology or psychiatry — then make an evaluation as to whether the student’s mental health precludes her bar admission” (Dragnich, 2015);

WHEREAS, in response to these questions, a survey of 3,300 law students found “overwhelming evidence of student concerns about the risks to bar admission if they disclose substance use or mental health issues after seeking treatment and support” (Organ et al., 2016) such that:

- “42% of law school student respondents indicated they felt they needed mental health intervention, but 45% would not seek help, believing it would threaten their ability to be admitted to the bar.
- 63% of respondents reported that the potential threat to bar admissions was a factor discouraging them from seeking services for substance use.
- Almost half of the respondents reported their belief that they had a better chance of getting admitted to the bar if a substance use problem were hidden, and
- 44% of respondents reported their belief that they had a better chance of getting admitted to the bar if a mental health problem were hidden”;

WHEREAS a nationwide study of about 13,000 lawyers found that 28% of lawyers reported depression, 19% reported anxiety, and that the 8.5% of lawyers in the sample reported suicidal ideation, twice as high as the general working population average ([Krill et al., 2023](#));

WHEREAS “Under the Americans with Disabilities Act (ADA), questions about a bar applicant’s mental health are only permitted if those questions are “necessary” to protect the public from unfit attorneys, and bar examiners bear the burden of proving this necessity” (Dragnich, 2015);

WHEREAS the U.S. Department of Justice has stated that such questions tend “to screen out individuals with disabilities based on stereotypes and assumptions about their disabilities and are not necessary to assess the applicants’ fitness to practice law” and recommended removal of applicant questions about diagnoses;

WHEREAS statistical data reveal that there is no connection between bar application questions about mental health and attorney misconduct and that such questions have not been empirically shown to work as a successful screening tool for who can and cannot practice law in a competent manner ([Dragnich, 2015](#));

WHEREAS [ABA Resolution 105](#), adopted in 2018, recommended enactment of a number of well-being recommendations including to “Re-Evaluate Bar Application Inquiries About Mental Health History”;

WHEREAS at least six states have adopted significant changes to their questions about mental health since 2018;

BE IT RESOLVED, that APA oppose the use of such mental health questions (specifically questions about diagnoses and treatment history) on character and fitness examinations;

BE IT RESOLVED, that APA work alongside the American Bar Association (ABA) and state bar authorities to advocate for removal of remaining questions about diagnoses and treatment history;

BE IT RESOLVED, that APA encourage law schools to support law students seeking appropriate mental health treatment and reduce the stigma associated with mental health;

BE IT RESOLVED that the APA issue a public statement consistent with the data, information, and above objectives in this Resolution.

REFERENCES

- American Bar Association (2018, February). ABA Resolution 105: Lawyer Well-Being Resolution. *ABA Working Group To Advance Well-Being In The Legal Profession - Commission On Lawyer Assistance Programs Standing Committee On Professionalism National Organization Of Bar Counsel - Report To The House Of Delegates*.
(https://www.americanbar.org/content/dam/aba/administrative/lawyer_assistance/lis_col_ap_2018_hod_midyear_105.pdf).
- American Bar Association. (2023, May 01). Mental Health Character & Fitness Questions for Bar Admission. Retrieved from <https://www.americanbar.org/groups/diversity/disabilityrights/resources/character-and-fitness-mh>.
- Bazon Center for Mental Health Law. (2023, April 20). Bar Exam Resources for Law Students and Graduates. Retrieved from <https://www.bazon.org/our-work/education/bar-exam-resources-for-law-students-and-graduates>.
- Dragnich, A. (2014). Have You Ever: How State Bar Association Inquiries into Mental Health Violate the Americans with Disabilities Act. *Brook. L. Rev.*, 80, 677.
- Krill, P. R., Thomas, H. M., Kramer, M. R., Degeneffe, N., & Anker, J. J. (2023, February). Stressed, lonely, and overcommitted: predictors of lawyer suicide risk. In *Healthcare* (Vol. 11, No. 4, p. 536).
- Organ, J. M., Jaffe, D. B., & Bender, K. M. (2016). Suffering in silence: The survey of law student well-being and the reluctance of law students to seek help for substance use and mental health concerns. *Journal of Legal Education*, 66(1), 116-156.

F.(11) Council voted to 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.

References

American Psychological Association. (February 2022). *Psychology's Role in Advancing Population Health*. APA Council of Representatives. <https://www.apa.org/about/policy/population-health-statement.pdf>

American Psychological Association. (February 2022). *Resolution on Poverty and Socioeconomic Status*. APA Council of Representatives. <https://www.apa.org/about/policy/poverty-resolution>

American Psychological Association. (October 2021). *APA Resolution on Advancing Health Equity in Psychology*. APA Council of Representatives. <https://www.apa.org/about/policy/resolution-child-adolescent-mental-behavioral-health.pdf>

American Psychological Association. (February 2021). *APA Resolution on APA, Psychology, and Human Rights*. APA Council of Representatives. <https://www.apa.org/about/policy/resolution-psychology-human-rights.pdf>

- American Psychological Association. (2019). *Child and adolescent mental and behavioral health resolution*. American Psychological Association. <https://www.apa.org/about/policy/child-adolescent-mental-behavioral-health>
- American Psychological Association. (February 2019). *APA Resolution on Child and Adolescent Mental and Behavioral Health*. APA Council of Representatives. <https://www.apa.org/about/policy/resolution-child-adolescent-mental-behavioral-health.pdf>
- American Psychological Association. (2008). *APA Resolution on Immigrant Children, Youth, and Families*. APA Council of Representatives. <https://www.apa.org/about/policy/immigrants>
- Bachman, J. G., Patrick, J. S., O'Malley, M., & Freedman-Doan, P. (2013). Adolescent work intensity, school performance, and substance use: Links vary by race/ethnicity and socioeconomic status. *Developmental Psychology*, 49, 2125-2134. doi:10.1037/a0031464.
- Berger Cardoso, J., Brabeck, K., Stinchcomb, D., Heidbrink, L., Acosta Price, O., Gil-García, Ó. F., Crea, T. M., & Zayas, L. H., (2019). Integration of unaccompanied migrant youth in the United States: a call for research. *Journal of Ethnic and Migration Studies*, 45(2), 273-292. doi: 10.1080/1369183X.2017.1404261
- Blustein, D. L., Chaves, A. P., Diemer, M. A., Gallagher, L. A., Marshall, K. G., Sirin, S., & Bhati, K. S. (2002). Voices of the forgotten half: The role of social class in the school-to-work transition. *Journal of Counseling Psychology*, 49(3), 311-323. <https://doi.org/10.1037/0022-0167.49.3.311>
- Bozick, R., Sastry, N., & Liu, A. (2022). Health in Early Adolescence and Paid Employment. *Youth & Society*, 54(3), 347–371. <https://doi.org/10.1177/0044118X20972425>
- Bustamante, E. E., Santiago-Rodríguez, M. E., & Ramer, J. D. (2023). Unlocking the promise of physical activity for mental health promotion. *JAMA Pediatrics*, 177(2), 111–113. <https://doi.org/10.1001/jamapediatrics.2022.5096>
- Carter, P. L., Skiba, R., Arredondo, M. I., & Pollock, M. (2017). You can't fix what you don't look at: Acknowledging race in addressing racial discipline disparities. *Urban Education*, 52(2), 207-235.
- Centers for Disease Control and Prevention. (2023). *Youth Risk Behavior Survey: Data Summary & Trends Report, 2011-2021*. National Center for HIV, Viral Hepatitis, STD, and TB Prevention. https://www.cdc.gov/healthyyouth/data/yrbs/pdf/YRBS_Data-Summary-Trends_Report2023_508.pdf
- Cunnen, K. A., MartinRogers, N., & Mortimer, J. T. (2009). Adolescent work experience and self-efficacy. *International Journal of Sociology and Social Policy*, 29, 164-175. doi:10.1108/01443330910947534
- Curtis, A.J. (2014). Tracing the school-to-prison pipeline from zero-tolerance policies to juvenile justice dispositions. *Georgetown Law Journal*, 102, 1251-1277.

- Desilver, D. (2022). After dropping in 2020, teen summer employment may be poised to continue its slow comeback. Pew Research Center. <https://www.pewresearch.org/short-reads/2022/06/21/after-dropping-in-2020-teen-summer-employment-may-be-poised-to-continue-its-slow-comeback/>
- Donovan, S. A. & Shimabukuro, J. O. (2016). *The Fair Labor Standards Act (FLSA) Child Labor Provisions*. Congressional Research Service. <https://sgp.fas.org/crs/misc/R44548.pdf>
- Freudenberg, N., & Ruglis, J. (2007). Reframing school dropout as a public health issue. *Preventing Chronic Disease: Public Health Research, Practice, and Policy*, 4(4), 1–11.
- Frone, M. (1999). Developmental consequences of youth employment. In Barling, J. & Kelloway, E. K. (Eds), *Young Workers: Varieties of Experience*. Washington DC: American Psychological Association, pp. 89-128.
- Henry, K. L., Knight, K. E., & Thornberry, T. P. (2011). School Disengagement as a Predictor of Dropout, Delinquency, and Problem Substance Use during Adolescence and Early Adulthood. *Journal of Youth and Adolescence*, 41(2), 156-166. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4516271/>
- Hwang, N., & Domina, T. (2017). The links between youth employment and educational attainment across racial groups. *Journal of Research on Adolescence*, 27, 312-327. doi: 10.1111/jora.12277.
- Jayawardana, D., Baryshnikova, N. V., & Cheng, T. C. (2023). The long shadow of child labour on adolescent mental health: a quantile approach. *Empir Econ* 64, 77–97. <https://doi.org/10.1007/s00181-022-02241-5>
- Kruse, D. L., & Mahony, D. (2000). Illegal Child Labor in the United States: Prevalence and Characteristics. *ILR Review*, 54(1), 17–40. <https://doi.org/10.1177/001979390005400102>
- Losen, D.J., Hodson, C., Keith, M.A., Morrison, K. & Belway, S. (2015). Are we closing the school discipline gap? The Center for Civil Rights Remedies at UCLA. Los Angeles, CA.
- Lynch, C.G., Gainey, R.R., & Chappell, A.T. (2016). The effects of social and educational disadvantage on the roles and functions of school resource officers. *Policing: An International Journal of Police Strategies & Management*, 39(3), 521-535.
- McDermott, E. R., Donlan, A. E., & Zaff, J. F. (2019). Why do students drop out? Turning points and long-term experiences. *The Journal of Educational Research*, 112(2), 270-282. doi: 10.1080/00220671.2018.1517296
- McLoyd, V. C. & Hallman, S. K. (2020). Antecedents and correlates of adolescent employment: Race as a moderator of psychological predictors. *Youth and Society*, 52, 871-893. <https://doi.org/10.1177/0044118X18781637>

- Michaela C. Pascoe, Sarah E. Hetrick & Alexandra G. Parker (2020) The impact of stress on students in secondary school and higher education, *International Journal of Adolescence and Youth*, 25 (1), 104-112, DOI: 10.1080/02673843.2019.1596823
- Mortimer J. T. (2010). The Benefits and Risks of Adolescent Employment. *The Prevention Researcher*, 17(2), 8–11.
- National Academies of Sciences, Engineering, and Medicine (2019a). *Fostering Healthy Mental, Emotional, and Behavioral Development in Children and Youth: A National Agenda*. Washington, DC: The National Academies Press. doi: <https://doi.org/10.17226/25201>.
- National Academies of Sciences, Engineering, and Medicine (2019b). *The Promise of Adolescence: Realizing Opportunity for All Youth*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/25388>.
- National Academies of Sciences, Engineering, and Medicine (2020). *Promoting Positive Adolescent Health Behaviors and Outcomes: Thriving in the 21st Century*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/25552>.
- National Center for Education Statistics. (2017). *Table 5.1. Compulsory school attendance laws, minimum and maximum age limits for required free education, by state: 2017*. Institute of Education Studies. https://nces.ed.gov/programs/statereform/tab5_1.asp
- National Research Council (1998). *Protecting Youth at Work: Health, Safety, and Development of Working Children and Adolescents in the United States*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/6019>.
- Okun, A. H., Guerin, R. J., & Schulte, P. A. (2016). Foundational workplace safety and health competencies for the emerging workforce. *Journal of Safety Research*, 59, 43-51. <https://doi.org/10.1016/j.jsr.2016.09.004>
- Paruthi, S., Brooks, L. J., D'Ambrosio, C., Hall, W. A., Kotagal, S., Lloyd, R. M., Malow, B. A., Maski, K., Nichols, C., Quan, S. F., Rosen, C. L., Troester, M. M., & Wise, M. S. (2016). Recommended amount of sleep for pediatric populations: A consensus statement of the American Academy of Sleep Medicine. *Journal of Clinical Sleep Medicine*, 12(6), 785–786. <https://doi.org/10.5664/jcsm.5866>
- Pascoe, M. C., Hetrick, S. E., & Parker, A. G. (2020). The impact of stress on students in secondary school and higher education. *International Journal of Adolescence and Youth*, 25(1), 104-112. doi: 10.1080/02673843.2019.1596823
- Pohlan, L. (2019). Unemployment and social exclusion. *Journal of Economic Behavior & Organization*, 164(August 2019), 273-299. <https://www.sciencedirect.com/science/article/pii/S0167268119301969>
- Sheftall, A. H., Vakil, F., Ruch, D. A., Boyd, R. C., Lindsey, M. A., & Bridge, J. A. (2021). Black Youth Suicide: Investigation of Current Trends and Precipitating Circumstances. *Journal of the*

American Academy of Child & Adolescent Psychiatry.
<https://doi.org/10.1016/j.jaac.2021.08.021>

- Sherer, J., & Mast, N. (2023). Child labor laws are under attack in states across the country. Washington D.C.: Economic Policy Institute. <https://www.epi.org/publication/child-labor-laws-under-attack/>
- Skiba, R. J., Horner, R. H., Chung, C.G., Rausch, M. K., May, S. L., & Tobin, T. (2011). Race is not neutral: A national investigation of African American and Latino disproportionality in school discipline. *School Psychology Review*, 40, 85–107.
- Skoog, C., Griesbach, M., Castañer, A., Gallo, K., Castillo, A., Aguilar, L. R., Ramírez Reyes, M. (2017). *Resilient migration: Tools for the emotional rescue of migrant children and adolescents*. UNICEF.
<https://www.unicef.org/mexico/media/4876/file/Resilient%20Migration%202020.pdf>
- Staff, J., Freelin, B. N. & Mortimer, J. T. (2023). Consequences of adolescent employment for young adult development. In Crockett, L. J., Carlo, G., & Schulenberg, J. E. (Eds), *Handbook of Adolescent and Young Adult Development*. Washington D.C.: American Psychological Association, pp. 293-306.
- Staff, J., Yetter, A. M., Cundiff, K., Ramirez, N., Vuolo, M., & Mortimer, J. T. (2020). Is adolescent employment still a risk factor for high school dropout? *J. Research on Adolescence*, 30, 406-422. DOI: [10.1111/jora.12533](https://doi.org/10.1111/jora.12533)
- Telzer, E. H., Goldenberg, D., Fuligni, A. J., Lieberman, M. D., & Gálvan, A. (2015). Sleep variability in adolescence is associated with altered brain development. *Developmental Cognitive Neuroscience*, 14, 16–22. <https://doi.org/10.1016/j.dcn.2015.05.007>
- The Trevor Project. (August 2022). The Mental Health and Well-Being of Multiracial LGBTQ Youth. [https://www.thetrevorproject.org/wp-content/uploads/2022/08/Multiracial LGBTQ Youth Mental Health Report.pdf](https://www.thetrevorproject.org/wp-content/uploads/2022/08/Multiracial_LGBTQ_Youth_Mental_Health_Report.pdf)
- Thouin, É., Dupéré, V., Denault, A. (2023). Paid employment in adolescence and rapid integration into a career-related job in early adulthood among vulnerable youth: The identity connection. *Journal of Vocational Behavior*, 142(103864).
<https://doi.org/10.1016/j.jvb.2023.103864>.
- Treglia, D., Cutuli, J. J., Arasteh, K., J. Bridgeland, J.M., Edson, G., Phillips, S., & Balakrishna, A. (2021). Hidden Pain: Children Who Lost a Parent or Caregiver to COVID-19 and What the Nation Can Do to Help Them. COVID Collaborative.
- UNICEF. (2020). *Youth Unemployment: The Facts*. Global Development Commons.
<https://gdc.unicef.org/resource/youth-unemployment-facts>
- United Nations. (2017). Joint General Comment - No. 4 of the CMW and No. 23 of the CRC (2017) - on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return. Office of the High

Commissioner on Human Rights. <https://www.ohchr.org/en/documents/general-comments-and-recommendations/joint-general-comment-no-4-cmw-and-no-23-crc-2017>

U.S. Department of Education. (2019). *Chronic Absenteeism in the Nation's Schools*. <https://www2.ed.gov/datastory/chronicabsenteeism.html>

U.S. Department of Health and Human Services. (n.d.) *Healthy People 2030: Employment*. Office of Disease Prevention and Health Promotion. <https://health.gov/healthypeople/priority-areas/social-determinants-health/literature-summaries/employment>

U.S. Department of Labor. (February 2023). Departments of Labor, Health and Human Services Announce New Efforts to Combat Exploitative Child Labor. Office of the Secretary. <https://www.dol.gov/newsroom/releases/osec/osec20230227>

U.S. Department of Labor. (2022). Employment and Unemployment Among Youth - Summer 2022. Bureau of Labor Statistics. <https://www.bls.gov/news.release/pdf/youth.pdf>

U.S. Department of Labor (2000). Report on the Youth Labor Force. Washington D.C.: U.S. Government Printing Office.

U.S. Department of Labor. (n.d.). Fair Labor Standards Act: Age Requirements. <https://www.dol.gov/general/topic/youthlabor/agerequirements>

U.S. Government Accountability Office. (2016). *K-12 Education: Better Use of Information Could Help Agencies Identify Disparities and Address Racial Discrimination*. <https://www.gao.gov/products/gao-16-345>

Zimmer-Gembeck, M. J. & Mortimer, J. T. (2006). Adolescent work, vocational development, and education. Review of Educational Research, 76, 537-566. doi: [10.3102/003465](https://doi.org/10.3102/003465)

G.(11A) Council voted to approve forwarding to the Membership for a vote the following amendment to Article XXI, Section 2 of the APA Bylaws (underlined material to be added):

ARTICLE XXI

Amendments

2. Amendments may be proposed (a) by Council, (b) by the Policy and Planning Board following formal consultation and discussion with Council, (c) by the Board of Directors when approved by Council by a majority vote, or (d) 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.

An explanatory statement and statements in favor of and against the amendment will accompany the Bylaws amendment ballot.

H.(11B) Council voted to 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).

I.(20) Council received as information an update from the Advocacy Coordinating Committee.

VII. PUBLICATIONS AND COMMUNICATIONS

No items.

VIII. CONVENTION AFFAIRS

No items.

IX. EDUCATIONAL AFFAIRS

A.(12) Council voted to adopt as APA policy the *APA Guidelines for the Undergraduate Psychology Major: Version 3.0* and approve December 31, 2033 as its expiration date.

B.(13) Council voted to receive the *APA BEA Racial Disparities Task Force Report on Racism and Bias: Their Role in Maintaining Racial Disparities in PreK-12 Education*.

C.(14) Council voted to approve withdrawal of Council New Business Item #20A/Feb 2019 entitled, Reiteration of APA's Values on Discrimination in Light of Contemporary Resurgence in Discrimination and Hate Crimes.

D.(15) Council voted to approve the continued recognition of Forensic Psychology as a specialty in professional psychology for a period of seven years.

X. PROFESSIONAL AFFAIRS

A.(16) Council voted to approve withdrawal of Council New Business Item #13B/March 2018 entitled, Healthcare Practice Guideline Policy.

B.(17) Council voted to adopt as APA policy the *Guidelines for Operational Psychology* and approves December 31, 2028 as the expiration date for the guidelines.

C.(21) Council received as information an update on the work of the Advisory Steering Committee for Development of Clinical Practice Guidelines and APA Guideline Development Panels and plans for 2023.

XI. SCIENTIFIC AFFAIRS

A.(18) Council voted to receive the Task Force Report on Promotion, Tenure, and Retention of Faculty of Color in Psychology.

XII. PUBLIC INTEREST

A.(23) Council received an update on the new business in progress item entitled, Resolution on Supporting Psychologists' Education and Research about, and Activism against Violations of Girls' and Women's Human Rights Globally (NBI #11C/Feb 2023).

XIV. INTERNATIONAL AFFAIRS

No items.

XVI. FINANCIAL AFFAIRS

A.(22) Council received as information the 2022 audited financial statements.

On Wednesday during lunch, Council members were invited to participate in an optional session on the APA strategic plan, including an update on data gathering and progress to date.

On Thursday, Dr. Sandra L. Shullman was presented with the Raymond D. Fowler award. The Committee on Women in Psychology received a presidential citation in recognition of its 50th anniversary.
