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Article

Navigating Academic Freedom and Political Constraints: The Challenges of DEI Program Development in Higher Education

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Abstract

This research brief examines the complex challenges faced by faculty attempting to establish a Diversity, Equity, and Inclusion certificate program within a large regional teaching university's business leadership department, amid restrictive legislative measures, specifically a state house bill limiting DEI initiatives. Using institutional theory and critical policy analysis frameworks, this study investigates how administrative interpretation and implementation of legislation affected program development despite academic programs being technically exempt from such legislation. Through examination of relevant research, comparative institutional responses, and multiple stakeholder perspectives, this brief demonstrates how perceived political interference in academic affairs appears to be associated with decreased faculty morale and satisfaction, coinciding with the departure of three senior faculty members. The findings offer research-based strategies and practical implementation frameworks for academic leaders navigating similar political tensions while maintaining academic integrity and faculty support in contentious educational contexts, with implications for understanding cyclical patterns of political influence on higher education.

Keywords: diversity initiatives; institutional theory; critical policy analysis; academic freedom; faculty morale; political interference; higher education policy; DEI certificate programs; legislative restrictions; administrative interpretation; faculty retention; change management; institutional resistance; academic leadership; political tensions; organizational culture; educational policy implementation; faculty governance; business education; inclusive leadership

Introduction: The Collision of Academic Freedom and Political Interference

The academic landscape has become increasingly complex as political forces attempt to shape educational content and programming, particularly around topics related to diversity, equity, and inclusion (DEI). As a higher education professional with extensive experience in both academic and consulting environments, I have observed how these tensions can disrupt the academic mission and affect faculty satisfaction. This research brief examines a specific case at a large regional teaching university in the Intermountain West that exemplifies broader national trends: the attempted development of a DEI certificate program within the business leadership department, against the backdrop of restrictive state legislation and administrative apprehension.

When the state legislature passed a house bill in March 2023 (hereafter "the Bill"), which restricted certain DEI initiatives in public institutions, it created a chilling effect that extended beyond the bill's technical scope. Despite explicit language exempting academic programs from these restrictions, university administration's reluctance to "poke the bear" led to roadblocks in the program development process. This case study explores how these challenges affected both the program development process and faculty morale, coinciding with the departure of three senior faculty members from a department of eighteen full-time faculty.

This brief explores the intersection of academic freedom, political pressure, administrative leadership, and faculty morale through an institutional theory lens, which helps us understand

organizational responses to external pressures (DiMaggio & Powell, 1983). By analyzing relevant research, comparing institutional responses across higher education, and examining multiple stakeholder perspectives, it offers insights and practical strategies for academic leaders navigating the complex terrain between political pressures and their commitment to educational excellence and faculty support.

Methodology and Theoretical Framework

Data Collection and Analysis

This case study employs a qualitative approach drawing on multiple data sources to ensure a comprehensive understanding of the case. Data collection methods included:

- Semi-structured interviews with seven faculty members directly involved in the certificate development process
- Semi-structured interviews with three administrators at department and college levels
- Faculty focus groups (two sessions with five participants each)
- Analysis of department meeting minutes from September 2022 through May 2023
- Review of institutional communications regarding the Bill's implementation
- Examination of the proposed certificate program documentation and feedback received
- Comparative analysis of institutional responses to similar legislation in other states
- Student government resolutions and aggregated course evaluation data
- Faculty turnover data compared to institutional and national benchmarks

Interview data was coded thematically using an iterative process to identify patterns in experiences and perspectives. Document analysis followed a critical discourse approach to examine both explicit content and implicit assumptions. Quantitative data on approval timelines and faculty turnover rates were analyzed to provide comparative context for qualitative findings.

Theoretical Framework

This analysis employs two complementary theoretical frameworks:

- *Institutional theory* (DiMaggio & Powell, 1983; Scott, 2008) provides a lens for understanding how organizations respond to external pressures through mechanisms of coercive, mimetic, and normative isomorphism. This framework helps explain how political pressures translated into administrative actions despite legal exemptions.
- *Critical policy analysis* (Ball, 1993; Diem et al., 2014) examines the power dynamics and implementation gaps between policy as written and policy as practiced. This approach illuminates how the Bill's provisions were interpreted and applied beyond their technical scope.

These frameworks were selected for their ability to connect micro-level observations of organizational behavior to broader structural and political dynamics, allowing for analysis that bridges individual experiences with institutional patterns.

Researcher Positionality and Limitations

As a researcher with experience in both academic and consulting environments related to organizational leadership and DEI initiatives, I acknowledge my position as both observer and participant in similar contexts. While not directly involved in this specific case, my professional experience informs my analysis. To mitigate potential bias, I have actively sought diverse perspectives, including those of administrators navigating complex institutional pressures and faculty with varying viewpoints on administrative responses.

This study has several limitations that should be acknowledged. First, as a retrospective case study, it relies heavily on participants' recollections and interpretations of events, which may be influenced by subsequent experiences. Second, while efforts were made to include multiple perspectives, not all stakeholders could be interviewed. Third, establishing direct causality between

the certificate development challenges and faculty departures is difficult given the complex nature of career decisions. These limitations are addressed through triangulation of data sources, member checking of interpretations, and careful qualification of causal claims.

An additional limitation concerns the assessment of student learning outcomes. While this study examines student perspectives and course evaluations, it does not include direct assessment data comparing learning outcomes between original and reframed DEI programs. This limitation presents an important direction for future research.

Historical Context: Political Influences on Higher Education

Cyclical Patterns of Political Intervention

Political interventions in higher education content and programming are not new phenomena but represent recurring patterns throughout American higher education history. From the McCarthy era investigations of "un-American" academic content in the 1950s to the "culture wars" of the 1980s and 1990s, political forces have periodically sought to influence what is taught in universities (Schrecker, 1986; Hartman, 2016). The current wave of legislation targeting DEI initiatives represents the latest iteration of these cyclical patterns of contestation over academic content.

Historically, these interventions have followed similar trajectories: periods of increased political scrutiny and constraint followed by reassertions of academic autonomy and freedom (Gumport, 2000). What distinguishes the current moment is the breadth and specificity of legislative interventions, with over 70 bills in 28 states between 2021 and 2023 attempting to restrict teaching about race, gender, and American history (AAUP, 2023).

Institutional Responses Across Time

University responses to political pressures have shown remarkable consistency across different historical periods. Examining the McCarthy era, Schrecker (1986) identified patterns of "anticipatory compliance" similar to those observed in contemporary contexts, where institutions exceeded explicit requirements to avoid conflict. Similarly, during the culture wars of the 1980s and 1990s, Messer-Davidow (1993) documented how universities often responded to political criticism by implementing additional review procedures for politically contested courses and programs.

These historical patterns provide important context for understanding current challenges, suggesting that present tensions, while significant, are part of longer-term cyclical relationships between higher education and political forces. This historical perspective also offers potential insight into how current constraints may evolve over time based on previous patterns of contestation and resolution.

The Political Context: Understanding the Bill and Its Implications

Legislative Constraints on DEI Initiatives: The Letter of the Law

The Bill, passed in March 2023, joined a wave of similar legislation across multiple states targeting DEI initiatives in public institutions. The bill prohibited state-funded entities, including public universities, from maintaining DEI offices, requiring DEI statements in hiring or promotion, and offering certain DEI training programs (Flaherty, 2023).

The text of the bill explicitly stated: "This chapter does not prohibit or restrict: (a) student clubs, associations, or organizations; (b) academic research, courses, or discussions of concepts or materials described in this section if the research, courses, or discussions are conducted as part of a broader educational program and are germane to the subject matter of the educational program."

This exemption for academic programs was significant—legally preserving faculty ability to develop curriculum addressing diversity and inclusion topics. However, as this case study demonstrates, the practical implementation diverged significantly from the legal text.

Research by the American Association of University Professors (AAUP) has documented over 70 bills in 28 states between 2021 and 2023 attempting to restrict teaching about race, gender, and American history (AAUP, 2023). These legislative efforts represent what scholars have termed "educational gag orders" designed to restrict academic freedom and limit certain forms of knowledge production and dissemination (Friedman & Gould, 2022; Kamola, 2023).

Administrative Response: The "Poke the Bear" Phenomenon

When faced with politically charged legislation, university administrators often find themselves navigating competing pressures. Research applying institutional theory demonstrates that organizations frequently respond to political pressures through "anticipatory compliance"—conforming beyond legal requirements to avoid conflict with powerful external stakeholders (Orphan & Niemann, 2021).

In the University case, administrators expressed concerns about "poking the bear"—a phrase that appeared in three separate email communications from college leadership to department faculty between April and June 2023. This metaphorical language revealed an institutional approach characterized by risk aversion rather than a defense of academic exemptions explicitly included in the legislation.

As one department faculty member explained in an interview: "We were repeatedly told that while technically the certificate program wasn't prohibited, moving forward would attract unwanted attention from legislators who might interpret our actions as defying the 'spirit' of the law. The message was clear—don't poke the bear, even if you're legally permitted to do so."

This approach aligns with what McNaughtan et al. (2022) identify as "strategic ambiguity" in administrative responses to political pressures—intentionally vague guidance that creates uncertainty about permissible activities. From an institutional theory perspective, this response represents coercive isomorphism, where the organization adapts to perceived external pressures from entities upon which it depends for resources and legitimacy (DiMaggio & Powell, 1983).

This administrative stance must be understood within the complex resource-dependency relationship between public universities and state governments controlling appropriations (Pfeffer & Salancik, 2003). As one administrator noted: "We receive nearly 60% of our operating budget from state appropriations. That creates real constraints on how we navigate politically sensitive issues."

The Case Study: Timeframe and Challenges

Program Development Process and Timeline

The proposed DEI certificate program at the University's business leadership department began development in response to industry demand and student interest. The certificate was designed as an 18-credit undergraduate program that largely repackaged existing courses to create a standalone industry-recognized credential focusing on inclusive leadership practices, cultural competence, and organizational strategies for fostering diverse and equitable workplaces.

Timeline analysis of the process revealed a significantly extended approval process compared to other certificate programs at the institution. Analysis of approval data for 15 certificate programs developed between 2022-2023 showed a mean approval time of around 4-5 months from department approval to final university approval, compared to over 10 months for the DEI certificate—an increase of over nearly 200%.

Specific Challenges Encountered

Faculty interviews and document analysis revealed several specific challenges in the program development process that demonstrated the gap between legal exemptions and practical implementation:

1. *Exceptional scrutiny at multiple levels*: The certificate proposal underwent additional reviews not typically required for other academic programs. Unlike similar 18-credit certificates that primarily repackaged existing courses, this proposal faced extraordinary scrutiny at every level of the approval process—from the School of Business's Dean's office and curriculum committee, through the provost's office and university curriculum committee, to the Academic Affairs Council (where all university Deans and provost's office personnel review proposals), and ultimately to the University's Board of Trustees and the state system's commissioner's office. As one faculty member noted: "Other certificates moved through the process in 2-3 months with standard reviews. Ours took over a year and required approvals from bodies that typically don't review certificate programs."
2. *Terminology restrictions*: Administrative feedback specifically requested removing terms like "diversity," "equity," and "inclusion" from course titles and descriptions despite these being standard terminology in the field. Documentation shows six instances where reviewers flagged terminology as "potentially problematic" despite its disciplinary appropriateness. The final compromise involved renaming the certificate from "Diversity, Equity, and Inclusion" to "Belonging in the Workplace"—a politically expedient shift that faculty felt diluted the disciplinary precision of the program.
3. *Process ambiguity*: Faculty reported receiving contradictory guidance about the approval process. One department member explained: "We would address feedback from one level of review, only to have different concerns raised at the next level. The goalposts kept moving."
4. *Expanded approval chain*: Unlike other certificate programs that followed standard curriculum committee pathways, the DEI certificate proposal was subjected to additional review by university legal counsel and the provost's office before college-level approval could proceed, and ultimately required approval from the state system's commissioner's office—a level of oversight rarely applied to certificate programs.
5. *Strategic reframing requirements*: Faculty were instructed to reframe the program entirely in terms of business outcomes and workforce development, removing references to social justice or equity outcomes despite these being integral to the discipline's theoretical foundations.

These challenges reflect what Ball (1993) describes as the "implementation gap" between policy text and policy practice—where the lived experience of policy diverges significantly from the written provisions. This gap was particularly evident in the contrast between the Bill's explicit exemption of academic programs and the practical constraints imposed on the certificate development process.

From an institutional theory perspective, these challenges demonstrate how normative pressures (shared expectations about appropriate behavior) and cultural-cognitive elements (taken-for-granted assumptions) can override formal rules when organizations perceive threats to their legitimacy (Scott, 2008). The University's response exemplifies what Oliver (1991) terms "compromise" and "avoidance" strategies in managing institutional pressures—seeking partial compliance through modification and concealment rather than outright defiance or acquiescence.

Faculty Experience: The Human Cost of Political Interference

Impact on Faculty Morale and Professional Identity

The program development challenges had significant effects on faculty morale and professional identity. Interview data revealed three primary areas of impact:

- *Professional autonomy concerns*: Faculty repeatedly expressed frustration about external interference in curriculum decisions that traditionally fall within faculty expertise. One department member stated: "I've developed numerous programs over 15 years in academia, but this was the first time I was told that my disciplinary expertise needed to be filtered through political considerations."
- *Value alignment tensions*: Several faculty members described experiencing value conflicts between institutional messaging about inclusion and the practical resistance to DEI-related

academic content. As one faculty member explained: "The university publicly commits to inclusion as a core value, but privately obstructs programs designed to advance that very value."

- *Scholarly identity challenges*: Faculty with research agendas centered on diversity and inclusion reported questioning their institutional fit. One departing faculty member noted: "When your research area becomes politically controversial, and you sense institutional reluctance to defend its academic legitimacy, you naturally question whether you're at the right institution."

These experiences align with research by Eagan and Garvey (2015), who found that perceived restrictions on academic freedom and professional autonomy significantly predict faculty stress and dissatisfaction, particularly among faculty whose research addresses potentially controversial topics.

Faculty Departures: Exploring Multiple Factors

The department experienced the departure of three senior faculty members (17% of the department's full-time faculty) within a year following these events. While multiple factors influence faculty career decisions, evidence suggests the certificate development challenges may have contributed to these departures alongside other important factors.

Analysis of exit interviews and resignation letters found that all three departing faculty mentioned concerns about academic freedom and institutional support. One resignation letter stated: "The institutional response to our certificate program has made it clear that political considerations take precedence over academic judgment, creating an environment that I find increasingly challenging for my professional values and career development."

However, it's important to acknowledge that these departures resulted from a complex interplay of factors. As Daly and Dee (2006) note, faculty turnover decisions typically involve both "push" factors (negative aspects of the current position) and "pull" factors (attractive aspects of alternative opportunities). Additional contributing factors mentioned in exit interviews included:

- Competitive offers from institutions with stronger DEI commitments
- Opportunities for leadership roles with greater autonomy
- Concerns about broader political climate affecting long-term job satisfaction
- Family considerations and geographic preferences

Quantitative context is also important for understanding these departures. The department's 17% annual turnover rate during this period significantly exceeded both the institution's overall faculty turnover rate (7.3%) and national benchmarks for similar departments (5.8% according to CUPA-HR data). Furthermore, all three departing faculty had received institutional teaching and research awards within the previous two years, representing a significant loss of recognized talent.

While establishing direct causality is challenging in retrospective analysis, the temporal relationship, specific references to the certificate challenges in departure documentation, and elevated turnover rates relative to institutional and national benchmarks suggest these events were likely a contributing factor among several important considerations in faculty departure decisions, aligning with research by O'Meara et al. (2019) on the relationship between perceived constraints on academic freedom and faculty retention.

Diverse Faculty Perspectives

Range of Faculty Responses

While the preceding analysis highlights concerns raised by faculty directly involved in the certificate development, it is important to acknowledge the diversity of faculty perspectives regarding the University's response to the Bill. Not all faculty viewed the administration's cautious approach negatively, and some expressed understanding of the complex pressures facing university leadership.

One tenured professor not involved in the certificate development noted: "I understand the frustration, but administrators have to consider the bigger picture. Antagonizing legislators who control our budget could have consequences for everyone." Another faculty member suggested: "There's value in strategic patience. Sometimes waiting for the political climate to shift is more effective than direct confrontation."

Some faculty also expressed concerns about potential negative consequences of pursuing politically contentious programs. As one associate professor stated: "While I support the certificate's content, I worried that pushing too hard might invite scrutiny of other programs or affect department funding."

These diverse perspectives reflect the complex nature of faculty attitudes toward institutional responses to political pressure. Research by Kezar and Maxey (2014) demonstrates that faculty often have competing considerations around academic freedom, institutional sustainability, and strategic priorities that inform their assessments of administrative decisions.

Differential Impacts by Faculty Position and Identity

Faculty experiences of these challenges varied significantly based on position, career stage, and personal identity. Untenured faculty reported higher levels of anxiety about pursuing DEI-related teaching and research, consistent with research by Eagan and Garvey (2015) on the differential impacts of political pressures.

As one pre-tenure faculty member explained: "I study inclusive leadership practices, but I'm now thinking twice about highlighting that aspect of my work during my tenure review. Why take the risk?" Another noted: "My colleagues with tenure can push back, but I have to be more careful about which battles I choose."

Faculty from underrepresented groups also reported experiencing these challenges differently. One faculty member of color stated: "For my white colleagues, this might feel like an abstract academic freedom issue. For me, it feels personal—like my very presence and perspective are being questioned."

These differential experiences highlight the importance of considering how political pressures on academic content may disproportionately affect certain faculty populations, potentially exacerbating existing inequities in faculty experiences and career progression.

Faculty Governance Response

Institutional Governance Structures and Actions

The University's faculty governance bodies played an important role in the institutional response to the Bill, though with mixed effectiveness. The Faculty Senate, composed of elected representatives from each college, initially adopted a wait-and-see approach when the Bill was passed, with no formal statement or resolution issued during the first three months following passage.

In September 2023, after faculty departures had begun, the Faculty Senate passed a resolution affirming the importance of academic freedom in curriculum development by a vote of 22-7. The resolution stated: "Faculty maintain primary responsibility for curriculum development according to disciplinary standards and best practices, regardless of political context." However, this resolution did not specifically address the DEI certificate situation or establish concrete protections for similar programs.

The University's chapter of the American Association of University Professors (AAUP) took a more active stance, issuing a statement in May 2023 that explicitly criticized the "overreach in implementation" of the Bill and called for "strict adherence to academic exemptions explicitly included in the legislation." This statement represented a stronger defense of academic freedom but came from an organization representing only about 15% of University faculty.

These governance responses illustrate what Gerber (2014) describes as the weakening of faculty governance effectiveness in the face of administrative and external pressures. From an institutional theory perspective, the limited faculty governance response reduced normative pressures that might have counterbalanced the coercive pressures from political sources (DiMaggio & Powell, 1983).

Governance Effectiveness and Limitations

The faculty governance response at the University demonstrated several limitations that reduced its effectiveness in protecting academic freedom:

- *Reactive rather than proactive stance:* The Faculty Senate resolution came six months after the Bill's passage and after faculty departures had begun, limiting its preventative impact.
- *Lack of specific protections:* Neither governance body established concrete procedural protections or review criteria that would have provided practical guidance for certificate development.
- *Limited coordination:* The Faculty Senate and AAUP chapter operated largely independently, reducing the potential impact of their combined advocacy.
- *Structural constraints:* The University's faculty governance structure provided only advisory input on administrative decisions, limiting its ability to establish binding policies protecting academic freedom.

These limitations align with research by Johnston (2022) on the declining effectiveness of shared governance in politically contested contexts. The case highlights the importance of strong, proactive faculty governance structures in maintaining academic freedom protections during periods of political constraint.

Comparative Analysis: Institutional Responses to Political Pressure

Typology of Institutional Responses

To contextualize the University's experience, I analyzed how fifteen public universities across eight states responded to similar legislative constraints on DEI initiatives between 2021-2023. This analysis revealed a typology of institutional responses that can be categorized along two dimensions: compliance approach (minimal to expansive) and defense of academic programs (weak to strong). Table 1 provides a typology of institutional responses.

Table 1. Typology of Institutional Responses.

Response Type	Compliance Approach	Academic Defense	Examples
Full Retreat	Expansive (beyond requirements)	Weak	University of Florida, Texas A&M University
Strategic Reframing	Moderate (meeting requirements)	Moderate	Arizona State University, The University (case study)
Minimal Compliance	Minimal (letter of the law)	Strong	University of Michigan, University of California system
Principled Resistance	Minimal or contested	Strong	University of Wisconsin-Madison, Ohio State University

Variables Influencing Institutional Responses

Comparative Analysis Revealed Several Key Variables That Influenced Institutional Responses:

- *Institutional status and resources*: Universities with stronger national reputations, larger endowments, and more diverse funding sources demonstrated greater willingness to defend academic programs against political pressure (Pusser & Marginson, 2013). Institutions with over \$1 billion in endowment were 3.2 times more likely to adopt "Principled Resistance" or "Minimal Compliance" approaches.
- *Leadership approach*: Institutions with presidents who publicly framed academic freedom as non-negotiable showed stronger resistance to extending political restrictions to academic programs (Gannon, 2022). Presidential statements emphasizing the centrality of academic freedom were present in 87% of institutions categorized as "Minimal Compliance" or "Principled Resistance."
- *Governance structures*: Universities with stronger faculty governance systems were more likely to maintain clear boundaries between administrative DEI functions and academic content (Gerber, 2014). Institutions with faculty senates that passed formal resolutions defending academic freedom were twice as likely to maintain DEI-related academic programming without significant modification.
- *State political context*: Institutions in states with more polarized political environments showed greater tendency toward anticipatory compliance beyond legislative requirements (McNaughtan et al., 2022). Universities in states with unified party control of government branches were 1.8 times more likely to adopt "Full Retreat" or "Strategic Reframing" approaches.

This comparative analysis suggests the University's response—characterized as "Strategic Reframing" with moderate compliance and moderate academic defense—was influenced by its regional university status, resource dependencies, and state political context. This positioning is consistent with institutional theory's predictions about how organizations with higher resource dependency and lower status would respond to external pressures (Oliver, 1991).

Comparative Implementation Approaches

Analysis of implementation variations across institutions revealed important distinctions in how similar legislation was interpreted and applied. Key implementation variations included:

- *Policy interpretation processes*: Institutions in the "Minimal Compliance" and "Principled Resistance" categories typically established formal policy interpretation committees that included faculty representatives, legal counsel, and administrators. These committees produced written interpretation guidelines that explicitly differentiated between administrative functions and academic content.
- *Review process modifications*: Institutions varied significantly in how they modified curriculum review processes for potentially controversial content. "Full Retreat" institutions typically implemented additional review layers and expanded approval chains, while "Minimal Compliance" institutions maintained standard review processes regardless of content area.
- *Terminology adaptation approaches*: All institutions engaged in some level of terminology adaptation, but with significant variations in approach. "Strategic Reframing" institutions, including the University, typically substituted alternative terms while preserving core content, while "Principled Resistance" institutions more often retained standard disciplinary terminology with expanded explanations of professional relevance.
- *Implementation timelines*: Universities also varied in implementation speed, with "Full Retreat" institutions typically implementing changes within 30-60 days of legislation, while "Principled Resistance" institutions often established extended timelines of 6-12 months for careful review and consultation.

These implementation variations had significant consequences for faculty experiences and program outcomes. Institutions that maintained consistent review processes regardless of content area reported higher faculty satisfaction and lower turnover rates, supporting Thompson and

Richards' (2021) findings on the importance of procedural consistency in maintaining faculty trust.

Multiple Stakeholder Perspectives

Administrative Constraints and Considerations

While faculty perspectives dominated the initial case description, a comprehensive analysis requires understanding administrative constraints and considerations. Interviews with administrators revealed several legitimate concerns shaping their approach:

- *Resource dependency concerns:* Administrators noted that state appropriations constitute approximately 58% of the University's operating budget, creating significant resource dependency. As one administrator explained: "We have to consider not just what's legally permissible but what's politically sustainable for the institution in the long term."
- *Multiple stakeholder management:* Administrators described navigating competing demands from various stakeholders—legislators, board members, faculty, students, and community partners—each with different expectations regarding DEI initiatives.
- *Interpretation ambiguity:* Despite the academic exemption language, administrators expressed uncertainty about how legislators might interpret different implementations of the law. One noted: "The legislation contains contradictions that make confident interpretation difficult."
- *Strategic prioritization:* Some administrators viewed temporarily moderating academic DEI initiatives as a strategic approach to preserving other institutional priorities. As one explained: "We're trying to navigate a complex political landscape where we have multiple important initiatives that require legislative support."

These perspectives align with research by Pusser (2003) on the "political economy" of higher education, where universities must navigate complex political environments while maintaining academic functions. They highlight the challenging position of administrators attempting to balance institutional sustainability with academic integrity.

Student Perspectives and Outcomes

Students represent another crucial stakeholder group affected by these dynamics. Data from multiple sources provided insight into student perspectives:

A Student Association resolution passed in April 2023 expressed concern about "diminishing academic opportunities related to diversity and inclusion" and noted that "workforce preparation requires understanding diverse perspectives and inclusive practices." The resolution passed with 85% support from student representatives.

Course evaluations for existing DEI-related courses revealed student recognition of their professional relevance, with comments such as: "This content is directly applicable to my internship where I'm working with diverse teams" and "Employers specifically asked about my experience with diverse populations during interviews." Quantitative analysis of 120 student evaluations from existing diversity-related courses showed average ratings of 4.7/5.0 for "professional relevance" compared to 4.2/5.0 for other department courses.

Student perspectives varied by identity and experience. Focus group data revealed that students from underrepresented groups expressed higher levels of concern about potential curriculum changes. As one student stated: "These courses help me feel seen in the curriculum. Losing them would send a message about who belongs in higher education."

While this study did not collect direct learning outcomes assessment data comparing original and reframed DEI programs (as the reframed program had only recently been implemented), preliminary course-level assessment data from the first semester of the reframed program indicated comparable achievement of core learning outcomes despite terminology changes.

These student perspectives highlight the potential impact of restricted DEI academic programming on student professional preparation and sense of belonging, particularly as employers increasingly seek graduates with intercultural competencies (Wells, 2019).

Industry and Employer Needs

Employer perspectives provide additional context for understanding the market relevance of DEI academic programming. Data from regional employer surveys and national research demonstrated:

- *Local market demand:* A 2022 survey of 75 regional employers conducted by the University's Business Engagement Center found that 68% rated "ability to work effectively in diverse teams" as "very important" or "essential" for entry-level hires.
- *National employment trends:* McKinsey & Company (2020) research demonstrates that organizations with strong diversity practices outperform their competitors financially, creating industry demand for graduates with specialized DEI knowledge and skills.
- *Specific skill requirements:* LinkedIn's 2023 Future of Skills report identified "inclusive leadership" among the top 15 emerging skills sought by employers across multiple industries (LinkedIn, 2023).

These market realities created a disconnect between employment demands and institutional reluctance to develop relevant academic programming—a tension that several departing faculty mentioned in their exit interviews. From a critical policy analysis perspective (Ball, 1993), this disconnect reveals how political considerations can override both educational judgment and market alignment in institutional decision-making.

Research Foundation: Academic Freedom and Institutional Theory

Academic Freedom in Contested Political Environments

Academic freedom represents the bedrock principle upon which quality higher education depends. As defined by the American Association of University Professors' 1940 Statement of Principles, academic freedom encompasses the right of faculty to research and publish, teach according to their expertise, and speak as citizens without institutional censorship or discipline (AAUP, 1940/2022).

The University case illustrates what Keith (2023) terms the "soft suppression" of academic freedom—where formal protections remain intact while practical impediments make exercising those freedoms increasingly difficult. This creates an environment where technically permitted activities become functionally restricted through bureaucratic resistance, increased scrutiny, and administrative ambiguity.

Research by Post (2022) demonstrates that violations of academic freedom occur on a continuum, with explicit prohibitions representing only the most visible form. More common are what he terms "chilling effects"—where faculty self-censor or modify academic content to avoid potential controversy even without explicit prohibition. The University case exemplifies this phenomenon, with faculty ultimately self-censoring program content to navigate perceived political constraints.

Historical analysis by Schrecker (1986) and more recent work by Kamola (2023) both demonstrate how periods of political constraint on academic content tend to generate these chilling effects through institutional implementation practices rather than direct censorship. This pattern appears consistently across different historical periods and political contexts.

Institutional Theory and Organizational Responses

Institutional theory provides a valuable framework for understanding the University's response to the Bill. DiMaggio and Powell (1983) identified three mechanisms through which organizations respond to external pressures:

1. *Coercive isomorphism*: Conformity resulting from formal and informal pressures exerted by organizations upon which they depend (e.g., state government funding)
2. *Mimetic isomorphism*: Imitation of other organizations' responses in conditions of uncertainty
3. *Normative isomorphism*: Professionalization processes that establish norms of appropriate organizational behavior

In the University case, we observe primarily coercive isomorphism, with the university responding to perceived political pressures beyond strict legislative requirements. We also see elements of mimetic isomorphism as the University observed and adopted similar responses to other regional universities facing similar legislation.

Scott's (2008) three pillars of institutions—regulative, normative, and cultural-cognitive—further illuminate this case. While the regulative pillar (formal rules) explicitly exempted academic programs, the normative and cultural-cognitive pillars (shared expectations and taken-for-granted assumptions) created pressure for compliance beyond legal requirements.

Oliver (1991) extends institutional theory by identifying strategic responses to institutional pressures, ranging from acquiescence to manipulation. The University's response exemplifies what Oliver terms "compromise" and "avoidance" strategies—seeking partial conformity through bargaining and concealment rather than outright defiance or acquiescence. This theoretical framework helps explain why university administrators felt compelled to restrict academic program development despite legal exemptions—they were responding to perceived normative expectations and taken-for-granted assumptions about appropriate organizational behavior in their political context.

International Context: Global Patterns and Variations

Political Pressures on Academic Content Worldwide

While this case study focuses on an American university, political pressures on academic content represent a global phenomenon with both similarities and differences across national contexts. Comparative research by Kinzelbach et al. (2021) identified increasing governmental constraints on academic content across multiple regions, from Europe to Asia to Latin America.

In Hungary, legislation explicitly targeted gender studies programs, while in Brazil, governmental pressures have restricted teaching related to political ideologies (Bothwell, 2022). These international examples demonstrate that the dynamics observed in the American context reflect broader global tensions around academic freedom and political influence.

Variations in University-Government Relations

However, significant differences exist in how these pressures manifest across national contexts. University-government relationships vary considerably based on governance models, funding structures, and historical traditions of academic autonomy (Marginson, 2016).

For example, European universities with stronger traditions of faculty self-governance have generally maintained greater protection of academic content despite political pressures. In contrast, universities in countries with more centralized higher education systems and direct governmental control have experienced more direct interventions in academic content (Kinzelbach et al., 2021).

These international variations provide important context for understanding the American experience, suggesting that institutional structures and governance traditions significantly mediate how political pressures affect academic programming. They also offer potential alternative models for university-government relations that might better protect academic freedom while acknowledging legitimate public interests in higher education.

Practical Applications: Research-Based Strategies

Strategic Approaches for Academic Leaders

Based on both research literature and comparative institutional analysis, I propose the following research-based strategies for academic leaders navigating similar challenges:

1. *Create Policy Clarity Through Formal Interpretation*

Research by Gilmore et al. (2023) demonstrates that precisely defining what legislation does and does not prohibit reduces administrative overreach based on unfounded fears. Practical implementation steps include:

- Conduct formal legal analysis of legislation with explicit documentation of academic exemptions
- Develop written institutional interpretation guidelines clarifying boundaries between administrative functions and academic content
- Create clear decision trees for determining when DEI content falls under academic exemptions
- Establish consistent review criteria applied equally to all academic programs regardless of content area

2. *Build Strategic Alliances and External Validation*

O'Neill and Palmer (2023) found that university programs aligned with documented industry needs faced less political resistance, as they could be framed in terms of workforce development. Implementation approaches include:

- Collect and document specific employer demand for diversity-related skills
- Secure formal letters of support from major employers and industry associations
- Develop advisory boards including industry representatives who can advocate for program relevance
- Create internship partnerships demonstrating direct workforce applications of program content

3. *Implement Transparent Process Protections*

Thompson and Richards (2021) show that procedural transparency significantly predicts faculty trust during politically contentious periods. Practical steps include:

- Establish written curriculum review procedures with explicit criteria based on academic quality
- Create documentation requirements ensuring all feedback is provided in writing with clear rationales
- Implement time boundaries for review processes to prevent indefinite delays
- Develop appeal mechanisms when faculty perceive political rather than academic considerations affecting review

4. *Adopt Strategic Framing While Preserving Content Integrity*

Research by Williams (2022) demonstrates how strategic framing can protect academic content in politically contested areas. Implementation approaches include:

- Frame programs in terms of professional competencies and workforce preparation
- Emphasize market demand and economic development contributions
- Connect program outcomes to broadly shared institutional values
- Maintain disciplinary content integrity while adapting terminology to reduce political friction

Implementation Framework for Program Development

Based on the comparative analysis of more successful approaches, I propose the following implementation framework for developing academic programs in politically sensitive areas:

1. *Preparation Phase (2-3 months)*

- a. Conduct stakeholder analysis identifying potential supporters and opponents
- b. Document market demand through employer surveys and job posting analyses
- c. Build faculty consensus on non-negotiable academic content versus flexible framing
- d. Develop strategic messaging aligned with institutional and state priorities

2. *Design Phase (3-4 months)*
 - a. Frame learning outcomes in terms of professional competencies
 - b. Incorporate direct industry input through advisory committees
 - c. Develop assessment measures demonstrating professional outcomes
 - d. Create modular curriculum allowing adaptation to changing environments
3. *Approval Phase (4-6 months)*
 - a. Provide comprehensive documentation addressing potential concerns proactively
 - b. Secure advance support from key administrative allies
 - c. Develop parallel approval pathways in case of resistance
 - d. Prepare responses to common objections based on academic and market rationales
4. *Implementation Phase (Ongoing)*
 - a. Collect ongoing assessment data demonstrating professional outcomes
 - b. Document student and employer testimonials supporting program value
 - c. Create regular reporting showcasing alignment with institutional and state goals
 - d. Build sustained industry partnerships demonstrating ongoing relevance

This framework, derived from both research literature and comparative institutional experience, provides a structured approach to navigating political challenges while maintaining academic integrity. The suggested timeline represents a realistic schedule based on successful implementations at multiple institutions, though specific circumstances may require adjustment.

Faculty Support and Retention Strategies

Building Resilience Amid Political Constraints

Faculty development and support become particularly critical during periods of political constraint. Research-based approaches include:

- *Create communities of practice:* Establishing formal or informal faculty groups focused on navigating political constraints while maintaining academic integrity can reduce isolation and build collective resilience. Research by Zhang and Campbell (2023) demonstrates that such communities significantly mitigate burnout among faculty working in politically contested academic areas.
- *Provide clear administrative backing:* Administrators can mitigate political impacts by clearly communicating support for faculty academic freedom even while navigating external constraints. Gonzalez and Peterson (2021) found that explicit administrative statements defending faculty expertise significantly predicted retention during politically turbulent periods.
- *Recognize additional labor:* Faculty developing programs in politically contested areas face additional burdens beyond normal curricular development. Acknowledging this through adjusted workloads, additional resources, or other forms of recognition can mitigate burnout (Martínez-Cola, 2022).

Rebuilding After Faculty Departures

When political pressures contribute to faculty departures, research indicates several effective approaches for rebuilding department capacity and morale:

- *Conduct honest exit interviews:* Understanding precisely why faculty left helps address systemic issues. Research by Jackson et al. (2022) shows that institutions implementing changes based on exit interview feedback demonstrate improved retention among remaining faculty.
- *Revise hiring practices:* Being transparent with prospective faculty about political challenges while emphasizing institutional commitment to academic freedom can improve recruitment outcomes. Candidates who understand challenges in advance demonstrate higher satisfaction and retention (Washington & Miller, 2023).

- *Establish clear protections*: Developing explicit institutional policies protecting academic freedom in program development can rebuild faculty trust following departures (Turner, 2022).

Differential Impacts and Support Needs

Research by Eagan and Garvey (2015) demonstrates that political pressures on academic content affect faculty differently based on identity, career stage, and disciplinary focus. Faculty from underrepresented groups, junior faculty, and those whose research directly addresses diversity issues report higher stress and lower satisfaction when facing political constraints on academic content.

Institutions should develop differentiated support mechanisms recognizing these varied impacts, including:

- Mentoring programs pairing faculty navigating political challenges with experienced colleagues
- Affinity groups providing identity-specific support for faculty from underrepresented groups
- Career development resources addressing navigation of politically contested research areas
- External networking opportunities connecting faculty to broader disciplinary communities

Policy Recommendations

Institutional Policy Recommendations

Drawing on this case study and broader research, I offer the following policy recommendations for university governance bodies:

1. *Develop explicit academic freedom policies* that clearly articulate protections for academic program development based on disciplinary standards regardless of political context.
2. *Establish standardized curriculum review processes* that apply consistent criteria across all programs and prevent exceptional treatment of politically sensitive content.
3. *Create formal mechanisms for legal interpretation* of legislation affecting academic activities with clear written guidance about legislative scope and limitations.
4. *Implement procedural protections* including time boundaries for review processes, written documentation requirements for feedback, and appeal mechanisms for decisions perceived as politically motivated.
5. *Develop faculty support infrastructure* specifically addressing the needs of those working in politically contested areas, particularly pre-tenure faculty and those from underrepresented groups.

State Policy Recommendations

For state legislators and policymakers:

1. *Include clear scope limitations* in legislation affecting higher education to prevent unintended constraints on academic functions.
2. *Establish explicit academic exemptions* that clearly preserve faculty authority over curriculum and program development.
3. *Develop implementation guidance* that prevents overreach in administrative interpretation of legislative restrictions.
4. *Create formal channels for academic input* during legislative development to identify potential unintended consequences for educational quality.
5. *Consider longer-term impacts* of political interventions on workforce development, economic competitiveness, and institutional quality.

Accreditation Body Recommendations

For regional and specialized accreditation bodies:

1. *Strengthen academic freedom standards* by explicitly evaluating institutional protections for politically contested academic content.
2. *Monitor procedural consistency* in curriculum approval processes across content areas.
3. *Evaluate administrative support* for faculty teaching and researching in politically sensitive areas.
4. *Assess institutional response* to external political pressures as part of governance evaluation.
5. *Develop best practice guidelines* for maintaining academic integrity amid political constraints.

Practical Tools for Academic Leaders

Decision Flowchart for Evaluating Political Risks

The following decision sequence provides a structured approach for academic leaders evaluating potential political risks to academic programs:

1. *Is the content explicitly restricted by legislation?*
 - a. If YES: Consult legal counsel about potential exemptions or constitutional challenges
 - b. If NO: Proceed to question 2
2. *Is the content explicitly exempted by legislation?*
 - a. If YES: Document exemption and proceed with standard processes
 - b. If NO: Proceed to question 3
3. *Does the content align with documented industry needs?*
 - a. If YES: Gather evidence of industry demand and workforce relevance
 - b. If NO: Consider reframing or strengthening industry connections
4. *Is the content consistent with disciplinary standards?*
 - a. If YES: Document alignment with field standards and peer institutions
 - b. If NO: Reconsider content based on academic rather than political grounds
5. *Can the content be strategically framed to reduce political friction?*
 - a. If YES: Adapt terminology and framing while preserving content integrity
 - b. If NO: Develop comprehensive rationale for current framing
6. *Is institutional leadership prepared to defend academic freedom if challenged?*
 - a. If YES: Proceed with appropriate strategic framing
 - b. If NO: Build administrative support before proceeding

Sample Academic Freedom Policy Statement

The following template provides language for institutional policy statements protecting academic freedom in program development:

"[Institution Name] affirms that the development of academic programs, courses, and curricula is the responsibility of the faculty, guided by disciplinary standards, accreditation requirements, and institutional mission. While the institution recognizes its obligations to comply with applicable laws and regulations, it distinguishes between administrative functions and academic content. Legislative restrictions on administrative DEI functions shall not be applied to academic program content, which remains protected by principles of academic freedom and faculty governance. All curriculum proposals shall be evaluated according to standard academic criteria, regardless of potential political sensitivity. The institution commits to defending faculty authority over curriculum development as essential to its educational mission and academic integrity."

Communication Templates for Different Stakeholders

For Faculty Communication: "The [Institution] recognizes current political challenges surrounding DEI-related content. We affirm that academic program development remains the purview of faculty expertise and will be evaluated according to standard academic criteria. While we may need to

strategically frame programs to navigate the current environment, we remain committed to maintaining the academic integrity of our curriculum. Faculty developing programs in politically sensitive areas can access support through [specific resources] and should document market relevance and disciplinary standards to strengthen program proposals."

For External Stakeholder Communication: "[Institution's] academic programs are developed to prepare students for professional success in a global economy where intercultural competence and inclusive leadership are increasingly valued by employers. Our curriculum is designed based on industry needs, disciplinary standards, and evidence-based educational practices. We welcome dialogue with all stakeholders about how our programs serve our educational mission and contribute to economic development and workforce preparation."

For Student Communication: "[Institution] remains committed to providing academic programs that prepare you for professional success in diverse work environments. While terminology and framing may evolve in response to changing contexts, we continue to develop curriculum based on employer needs, disciplinary standards, and educational best practices. Students interested in developing skills related to inclusive leadership and intercultural competence can explore programs including [specific programs] which develop these professionally valuable competencies."

Faculty Support Checklist

Institutions can use the following checklist to assess and enhance support for faculty working in politically contested areas:

Administrative Support:

- Clear written guidance on legislative scope and limitations
- Explicit statements supporting academic freedom in program development
- Transparent, consistent curriculum review processes
- Designated administrative allies/contacts for faculty navigating challenges
- Recognition of additional labor involved in politically sensitive program development

Community Building:

- Formal or informal communities of practice
- Mentoring programs pairing experienced and newer faculty
- Cross-institutional networks with faculty at peer institutions
- Regular forums for sharing experiences and strategies
- Engagement with disciplinary associations addressing similar challenges

Professional Development:

- Workshops on strategic framing of academic content
- Resources for documenting market relevance and industry alignment
- Guidance on navigating politically sensitive discussions in the classroom
- Support for maintaining scholarly identity amid political constraints
- Career development addressing impact of political climate on academic trajectory

Longitudinal Perspectives and Future Directions

Long-term Outcomes and Developments

While this case study captures events through August 2024, it's important to consider longer-term developments and outcomes. Follow-up analysis reveals several important longitudinal dimensions:

- *Certificate program trajectory:* The renamed "Belonging in the Workplace" certificate was ultimately approved in April 2024 with modified language but preserved approximately 80% of the original content. Initial enrollment for Fall 2024 exceeded projections by 35%, suggesting

strong student interest despite the modified framing. However, it is too early to assess long-term enrollment trends or learning outcomes compared to the originally proposed program.

- *Department recovery efforts:* Following the faculty departures, the department implemented several recovery strategies, including revised hiring practices emphasizing academic freedom commitments, development of faculty support communities, and explicit protections for politically sensitive academic content. These efforts resulted in successful recruitment of two new faculty members with DEI-related expertise by Fall 2024.
- *Evolving institutional approach:* By late 2023, the University had developed clearer written guidance about the Bill's academic exemptions, resulting in more consistent application across other programs and departments. This suggests institutional learning and adaptation based on earlier experiences.
- *Legislative developments:* While beyond the scope of this case study, it's worth noting that similar legislative cycles have historically evolved over time, with initial restrictive periods often followed by clarification or moderation as implementation challenges become apparent.

These longitudinal perspectives suggest that while political constraints create significant challenges, institutions and academic units can adapt and develop more effective responses over time, particularly when guided by intentional strategies and organizational learning.

Future Research Directions

This case study suggests several important directions for future research:

- *Longitudinal studies of faculty retention:* Research tracking faculty retention patterns following restrictive legislation across multiple institutions would provide valuable insights into long-term impacts and effective mitigation strategies.
- *Comparative analyses of implementation approaches:* Studies examining variations in how similar legislation is implemented across different institutions could identify best practices for protecting academic programs while navigating political constraints. This research should specifically examine differences in policy interpretation processes, review procedures, terminology adaptation strategies, and implementation timelines to determine which approaches best preserve academic integrity while addressing political concerns.
- *Student learning outcome assessments:* Research comparing learning outcomes in original versus reframed DEI programs would help determine whether strategic reframing preserves educational effectiveness. Such studies should include both direct assessment of learning outcomes and indirect measures of student satisfaction and perceived relevance.
- *Governance structure impact studies:* Investigations of how different university governance structures influence institutional responses to political pressures could inform governance reforms to better protect academic freedom.
- *Historical pattern analysis:* Research examining how previous cycles of political constraint on academic content evolved over time could provide insights into potential future developments in the current cycle.

These research directions would contribute valuable knowledge for academic leaders navigating the complex intersection of political pressures and academic program development.

Conclusion: Charting a Path Forward

The challenges faced in developing a DEI certificate program at the University reflect broader tensions in American higher education as political forces increasingly seek to influence academic content and programming. The departure of three senior faculty members represents not just an institutional loss but a warning about the potential consequences when universities struggle to navigate these tensions effectively.

This analysis, grounded in institutional theory and critical policy analysis, demonstrates how legislation ostensibly exempting academic programs can nevertheless significantly impact program development through implementation practices shaped by institutional responses to perceived

political pressures. The comparative analysis reveals that institutions adopting clear boundaries between political compliance and academic freedom better preserve both educational quality and faculty commitment.

Historical perspectives remind us that current challenges, while significant, represent the latest iteration of recurring cycles of political influence on higher education content. This historical context suggests both the seriousness of present constraints and the likelihood that academic institutions will eventually reassert greater autonomy, as has occurred in previous cycles.

Moving forward, academic leaders should recognize that overly cautious responses to political pressure—like the "don't poke the bear" approach—often create implementation gaps between policy and practice that negatively affect multiple stakeholders. The most successful institutions navigate these challenges by:

1. Maintaining clear distinctions between administrative functions and academic content
2. Providing transparent guidance about legislative scope and limitations
3. Developing strategic framing that preserves academic integrity while reducing political friction
4. Supporting faculty through communities of practice and explicit administrative backing
5. Building external validation through industry partnerships and workforce alignment

As political pressures on higher education continue, the lessons from this case study offer valuable guidance for academic leaders seeking to maintain institutional integrity, support faculty, and fulfill their educational missions in increasingly complex political environments. By grounding responses in research, clarifying legal boundaries, building strategic alliances, and prioritizing faculty support, institutions can navigate these challenges while continuing to offer relevant, high-quality academic programs that prepare students for diverse professional environments.

In the words of one faculty member who remained at the University: "The question isn't whether we'll face political pressures—that's inevitable. The question is how we respond to those pressures while preserving what makes higher education valuable in the first place." It is in answering this question thoughtfully, strategically, and with principled commitment to academic values that institutions will chart a sustainable path forward.

Appendix: Research Instruments and Protocols

Research Instrument: Semi-structured Interview Protocol for Faculty

Purpose: To gather qualitative data on faculty experiences during the DEI certificate development process at the University.

Participant Selection: Faculty directly involved in the certificate development process, including both departing faculty and those who remained.

Interview Duration: 45-60 minutes

Introduction

- Thank participant for their time
- Review informed consent process
- Explain confidentiality protections
- Request permission to record
- Clarify that participant can skip questions or end interview at any time

Background Questions

1. How long have you been at the University?
2. What is your role in the department?
3. What was your involvement with the DEI certificate program development?

Experience with Certificate Development

4. Could you walk me through the timeline of events as you experienced them in developing the DEI certificate?
5. What was your understanding of how the Bill would affect academic programs?
6. What specific guidance or feedback did you receive from administration regarding the certificate?

7. Were there specific examples of language or content that you were asked to modify? Can you describe these?
8. How did the review process for this certificate compare to other curriculum development processes you've experienced?

Impact on Faculty

9. How did these experiences affect your sense of professional autonomy?
10. What impact, if any, did this have on your job satisfaction?
11. How did these experiences affect your sense of alignment with institutional values?
12. Did these experiences influence your future career plans or institutional commitment? If so, how?

Institutional Response

13. How would you characterize the administrative response to the Bill in relation to academic programs?
14. What support, if any, did you receive during this process?
15. What do you think could have been done differently by administration?

For Departing Faculty Only

16. To what extent did your experiences with the certificate development process influence your decision to leave the University?
17. What other factors contributed to your decision to leave?
18. What would have needed to change for you to have considered staying?

Broader Context

19. How do you see these experiences in relation to broader trends in higher education?
20. What lessons do you think other institutions might learn from the University's experience?

Closing Questions

21. Is there anything else about your experience that you think is important for me to understand?
22. Do you have any questions for me?

Thank you and next steps

- Express appreciation for participation
- Explain member-checking process
- Provide contact information for follow-up questions

Research Instrument: Semi-structured Interview Protocol for Administrators

Purpose: To gather qualitative data on administrative perspectives and considerations during the DEI certificate approval process.

Participant Selection: Department chairs, deans, and other administrators involved in curriculum review and approval.

Interview Duration: 45-60 minutes

Introduction

- Thank participant for their time
- Review informed consent process
- Explain confidentiality protections
- Request permission to record
- Clarify that participant can skip questions or end interview at any time

Background Questions

1. What is your administrative role at the University?
2. How long have you been in this position?
3. What was your involvement with the DEI certificate program review process?

Understanding of Legislative Context

4. What was your understanding of the Bill's provisions regarding academic programs?
5. What guidance, if any, did you receive from upper administration about implementing the Bill?

6. How did you interpret the academic exemption clause in the legislation?

Administrative Decision-Making

7. What factors influenced your approach to reviewing the DEI certificate program?

8. What specific concerns did you have about the program in light of the Bill?

9. How did you balance academic freedom considerations with other institutional concerns?

10. What specific feedback or guidance did you provide to faculty regarding the certificate?

Institutional Pressures and Constraints

11. What external pressures, if any, influenced your decision-making?

12. What internal institutional factors shaped your approach?

13. How did resource considerations (funding, enrollment, etc.) factor into your thinking?

14. What communication did you receive from board members or state officials about DEI initiatives?

Process Considerations

15. How did the review process for this certificate compare to other curriculum development processes?

16. What process modifications, if any, were implemented specifically for this certificate?

17. In retrospect, would you approach the process differently? If so, how?

Faculty Impact

18. What was your perception of how this process affected faculty morale?

19. Were you aware of faculty concerns about academic freedom? If so, how did you address these?

20. How did you respond to faculty departures that followed these events?

Broader Context

21. How do you see these experiences in relation to broader trends in higher education?

22. What advice would you give to administrators at other institutions facing similar legislative constraints?

Closing Questions

23. Is there anything else about your experience that you think is important for me to understand?

24. Do you have any questions for me?

Thank you and next steps

- Express appreciation for participation
- Explain member-checking process
- Provide contact information for follow-up questions

Research Instrument: Document Analysis Protocol

Purpose: To systematically analyze written documentation related to the DEI certificate development process and institutional response to the Bill.

Document Types: Meeting minutes, email communications, curriculum proposals, feedback documents, legislative texts, institutional policies, and public statements.

Document Identification and Organization

1. Document type
2. Date created/published
3. Author/source
4. Intended audience
5. Relationship to DEI certificate development process

Content Analysis Categories

Legislative Understanding and Interpretation

- How is the Bill described or referenced?
- What interpretations of academic exemptions are presented?
- What guidance for implementation is provided?

Certificate Development Process

- What timeline is established for review and approval?
- What specific feedback or revision requests are documented?
- How does the process described compare to standard curriculum approval processes?

Terminology and Framing

- What language related to DEI is flagged for concern?
- What alternative terminology is suggested?
- How is the certificate framed in terms of purpose and outcomes?

Administrative Guidance

- What directives or suggestions are provided to faculty?
- What rationales are given for these directives?
- What metaphors or phrases (e.g., "don't poke the bear") are used?

Faculty Responses

- How do faculty respond to administrative guidance?
- What concerns about academic freedom are expressed?
- What compromises or accommodations are proposed?

Contextual Factors

- What references to external political pressures appear?
- What institutional priorities are identified?
- What resource considerations are mentioned?

Coding Process

1. Initial review and annotation of documents
2. Development of preliminary coding scheme based on research questions
3. Systematic coding of all documents
4. Identification of patterns and themes across documents
5. Cross-referencing with interview data for triangulation

Analysis Questions

- What patterns emerge in administrative communication about the Bill?
- How does language about the certificate change over time?
- What implementation gaps are evident between policy text and practice?
- How do institutional responses evolve throughout the timeline?
- What discrepancies exist between public and private communications?

Research Instrument: Comparative Institutional Analysis Framework

Purpose: To systematically compare institutional responses to similar legislative constraints across multiple universities.

Data Sources: Publicly available statements, news articles, institutional policies, faculty senate minutes, and interviews with contacts at comparison institutions.

Institution Profile

1. Institution name and location
2. Institution type (R1, regional comprehensive, etc.)
3. Governance structure
4. Relevant legislation affecting DEI initiatives
5. Date legislation enacted

Response Variables

Compliance Approach (Scale: Minimal to Expansive)

- Adherence strictly to letter of law vs. expansive interpretation
- Areas where institution exceeded legislative requirements

- Areas where institution maintained practices despite restrictions
- Changes to administrative structures and offices

Academic Program Defense (Scale: Weak to Strong)

- Protection of academic content from legislative restrictions
- Maintenance vs. elimination of DEI-related academic programs
- Changes to academic program content or terminology
- Public statements regarding academic freedom protections

Strategic Framing Approaches

- Terminology shifts (e.g., from "diversity" to other terms)
- Alignment with workforce/economic development
- Connection to existing institutional values
- Response to specific stakeholder concerns

Implementation Processes

- Changes to curriculum approval processes
- Creation of special review committees
- Development of new policies or guidelines
- Timeline of implementation

Faculty Impact

- Evidence of faculty departures
- Faculty governance responses
- Collective action or resistance
- Support mechanisms developed

Contextual Factors

- State political environment
- Institutional financial position
- Leadership approach and messaging
- External stakeholder involvement

Outcome Indicators

- Retention/elimination of DEI academic programs
- Faculty retention/turnover
- Student response and enrollment
- External perceptions and reputation impact

Comparative Analysis Questions

- What patterns emerge across institutions in similar political environments?
- What factors predict stronger defense of academic programs?
- What strategies appear most effective in maintaining program integrity?
- How do institutional characteristics influence response approaches?
- What implementation practices correlate with higher faculty satisfaction and retention?

Scoring and Categorization Process

1. Initial data collection for each institution across all variables
2. Development of scoring rubric for each dimension
3. Independent scoring by two researchers
4. Resolution of scoring discrepancies
5. Placement of institutions within typology framework
6. Identification of exemplars for each response type

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