Expanding Opportunity:
Messaging Guidance for Talking about Fisher v. University of Texas

October 3, 2012

This memo offers messaging advice for promoting diversity and equal opportunity in the context of Fisher v. University of Texas, a constitutional challenge to the university’s college admissions policies. In order to foster a diverse student body and overcome obstacles to educational opportunity, the university considers qualified students’ racial or ethnic backgrounds along with academic achievement and other qualities like leadership, socioeconomic status, and athletic or artistic talent. The U.S. Supreme Court will consider whether that policy violates the 14th Amendment to the U.S. Constitution. The Court will hear arguments in Fisher on October 10, 2012, and will issue a decision by the summer of 2013.

This communications advice is intended to help mobilize supporters of diversity and equal opportunity while persuading undecided audiences. It is based on opinion and media research as well as practical experience from around the country.

Main Messaging Themes

We recommend that communications about this issue emphasize the following themes:

- Expanding Opportunity: It’s in our interest to see that talented students from all backgrounds get a close look and a fair shot at overcoming obstacles to educational opportunity.

- The Benefits of Diversity: Learning with people from different backgrounds and perspectives benefits all students, our workforce, and our country as a whole.

- Our National Interest: Fostering educational diversity and greater opportunity is critical to our nation’s future in a global economy and an increasingly interconnected world.

Sample Messages

“Within a group of qualified applicants, universities should be able to look at factors in addition to test scores in order to create a diverse learning environment that prepares students for the real world. Many students of color face extra obstacles to success not faced by others, and when students do well despite these obstacles the university should be able to give them a chance to succeed.”
Expanding Opportunity: “The university has created a fair process for expanding opportunity.”

“Many minority students grow up facing multiple obstacles to educational opportunity, like under-funded schools with crumbling walls and outdated textbooks, or having to work at demanding jobs during high school to help their families make ends meet. They are less likely to be able to afford expensive classes to prepare for the SATs and less likely to know the ins and outs of the college admissions process. The university’s approach makes it more likely that talented students working to overcome these challenges will get a fair shot at attending college.”

Fostering Diversity: “A diverse learning environment that prepares students for the real world.”

“The university’s approach lets it identify a diverse group of highly qualified students, and all students benefit when they can learn from classmates of different backgrounds. That education prepares students for today’s diverse workplace and global economy, and to be leaders in the 21st century.”

“I did well in high school, but I’m glad my university considered all the other things that make me who I am, from being president of my high school class, to playing soccer, to volunteering for my church, and my experience as an African-American young woman.”

“I learned a lot by attending college with classmates from different races and backgrounds. I graduated much better prepared to be part of a modern workplace and the real world around me.”

“As someone who runs a business, I need to be able to hire well qualified graduates of all backgrounds who are comfortable with a wide range of customers, and in a global economy.”

Our National Interest: “A diverse, well-educated generation of Americans is crucial to our success as a nation.”

“Over 50 Fortune 100 and other successful businesses filed a friend of the court brief explaining that diverse universities and workplaces are crucial to America’s business success in a diverse, global marketplace. They said that Americans who are educated in a diverse setting ‘have an increased ability to facilitate unique and creative approaches to problem-solving by integrating different perspectives and moving beyond linear, conventional thinking; they are better equipped to understand a wider variety of consumer needs ... and thus to develop products that appeal to a variety of consumers...; they are better able to work productively with business partners, employees, and clients in the United States and around the world; and they are likely to generate a more positive work environment by decreasing incidents of discrimination and stereotyping.’”

“Retired military and national defense leaders filed a friend of the court brief in Fisher, explaining that ‘the modern United States military regards a highly qualified and racially and ethnically diverse officer corps as vital to military effectiveness.’ In order to have the legitimacy and effectiveness that our military needs, they explained, the path to military leadership must ‘be visibly open to talented and qualified individuals of every race and ethnicity.’”
A Compelling Values Message

To persuade and mobilize audiences, we recommend structuring messages in terms of Value, Problem, Solution, and Action. For example:

**Value:** Colleges have found that all students benefit by learning with people from different backgrounds and perspectives. So, along with academic achievement and other qualities, some schools consider how qualified students of different backgrounds will contribute to the racial and ethnic diversity of the campus. That experience with diversity is important to graduates’ success in a modern workplace and global economy.

**Problem:** But the Supreme Court is considering a case this fall called Fisher v. University of Texas that could prevent colleges from taking those modest steps to foster diversity and expand opportunity.

**Solution:** The Supreme Court should uphold these policies as lawful and important to our nation’s future.

**Action:** Show your support when the Supreme Court hears arguments in the case on October 10th by joining the Opportunity Rally in Washington, DC.

**Messaging Principles**

**Lead with shared values.** Persuadable audiences respond best when we lead with values they share, instead of with dense facts or political rhetoric. In the case of diversity policies, the most important values are Diversity, Opportunity, and the National Interest.

**Explain why these policies benefit all of us.** It’s important to frame the debate in terms of all students and our society as a whole, instead of solely in terms of people of color and women. Upholding diversity programs creates a more diverse classroom, a better-prepared workforce, and a more successful economy. Striking them down would harm our national values of fairness and opportunity, and our economic and societal success.

**Vary the Label.** The term “affirmative action” has become somewhat loaded after decades of political debate. Consider using a variety of terms, including “diversity programs,” “opportunity policies,” and “inclusive admissions.” Avoid repeating inaccurate terms like “racial preferences” or “reverse discrimination” that undermine support. Research also shows that the terms “race conscious” and “race based” are unhelpful with undecided audiences.
**Acknowledge the progress.** Acknowledging the progress that the United States has made toward opportunity for all (including the election of an African-American president) helps Americans of all races to better “hear” and accept arguments for programs that further expand opportunity. This progress does not mean that diversity programs are no longer needed; rather, the best way to move forward is to periodically review and update them, as the University of Texas has done, to ensure we are giving everyone a fair chance.

**Use personal stories that show the need for a systematic response.** Stories of students of color who have overcome obstacles, and of white students who have benefited from diverse environments, can be especially persuasive. In highlighting them, though, it is important to choose stories that illustrate how and why opportunity and diversity policies, in particular, helped those students to grow and contribute to the classroom, campus, and society. Stories from parents, teachers, and business and military leaders, for instance, can help round out the picture.

**Link racial and ethnic diversity with broader efforts to expand opportunity.** In discussing the need for greater diversity and opportunity, linking our goals to broader solutions that touch everyone—lower-income people, older Americans, first-generation graduates—can engage new audiences and build a larger constituency. The University of Texas’s policies are broad enough to tell that more inclusive story. We can also tout our support for increased student aid and other opportunity-expanding policies as well.

**Themes to Avoid**

**Historical appeals.** Focusing on past discrimination, racism, and slavery tends to alienate persuadable audiences. Unless you have a receptive audience and enough time for detailed discussion, these arguments are unlikely to persuade in the short-term.

**Group competition.** Framing diversity policies as a zero-sum game quickly erodes support, particularly among white Americans. Avoid “us vs. them” arguments and emphasize how we’re all in it together, with expanding opportunity and fostering diversity benefiting everyone.
The Narrative “Umbrella”

We all have different ways of talking about issues with different audiences. We must maintain our individual voices while communicating a common narrative or “big story” about why diversity policies are good for us all, and equal opportunity policies should be upheld. The graphic below illustrates the arguments that are part of our narrative, and those we should avoid.

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For additional communications research and advice, go to www.opportunityagenda.org.