



If You Can Dream It, You Can Achieve It at an HBCU!

Chairman Scott (VA) Ranking Member Virginia Foxx (VA), Subcommittee on Education and Workforce Investment, Chair, Fredrica Wilson (FL) and Subcommittee Ranking Member, Gregory F. Murphy, I am Lezli Baskerville, President & CEO of the National Association for Equal Opportunity in Higher Education (NAFEO). NAFEO is the 52-year old membership and advocacy association of the nation's richly diverse more than 100 Historically Black Colleges and Universities (HBCUs) and in excess of 80 emerging Predominantly Black Institutions (PBIs.)

I am pleased to be here on **the birthday of Activist Fannie Lou Hamer.**¹ I am jubilant to address you on **Jubilee Day at Fisk University**, the day on which in 1871 9 courageous and determined students, at Fisk University, a private university in Nashville, Tennessee, left the security of the 40-acre campus, and ventured out under the supervision of the Fisk treasurer and music professor, to use their well-trained melodic voices to raise sorely needed resources to keep open the doors of opportunity at Fisk University, the first American university to offer a liberal arts education to "young men and women irrespective of color."²

¹ Activist Extraordinaire, Fannie Lou Hamer, was one of the foremost leaders of the American voting rights, women's rights, and civil rights movements. Born in Montgomery County, Mississippi, Ms. Fannie Lou Hamer was also a community organizer, co-founder and vice-chair of the Freedom Democratic Party, which she represented at the 1964 Democratic National Convention. Ms. Hamer was also organizer of Mississippi's Freedom Summer and active in the Student Nonviolent Coordinating Committee (SNCC). She was also a co-founder of the National Women's Political Caucus.

Hamer received many awards both in her lifetime and posthumously. She received a [Doctor of Law](#) from [Shaw University](#),^[63] and honorary degrees from [Columbia College Chicago](#) in 1970^[64] and [Howard University](#) in 1972.^[65] She was inducted into the [National Women's Hall of Fame](#) in 1993.^[3]

A remembrance for her life was given in the US House of Representatives on the 100th anniversary of her birth, October 6, 2017, by [Texas](#) Congresswoman [Sheila Jackson Lee](#).^[15]

https://en.wikipedia.org/wiki/Fannie_Lou_Hamer.

² The expanded, yet still revered Jubilee Singers still perform to the delight of Heads of State worldwide to raise sorely needed resources for the University. Fisk University is, today, a celebrated HBCU in Nashville Tennessee, that is highly ranked by US News & World Reports and is the oldest institution of higher learning in Nashville, TN, having been founded in 1866 ~~on 40 acres~~, and now designated an historic district on the National Registry of Historic Places. ~~Fisk's outstanding faculty and students continue to enhance the University's international reputation for academic excellence. Our scholars continue to make strides in all areas of the industry from Social Justice to the sciences. A Fisk education prepares students to become beacons in servicing the community and well rounded leaders and scholars in their respective fields. Fisk offers more than 20+ undergraduate and graduate programs in Biology, Chemistry, Physics, Clinical Psychology with a bridge Masters to Ph.D. programs through a partnership with Vanderbilt University.~~

www.fisk.edu.

I am uplifted to appear before you this afternoon on the day, when in 1993, *Dr. Mae C. Jemison*, a physician and an engineer, who was the first African-American woman to be admitted to NASA's astronaut training program and to fly in space, was inducted into the National Women's Hall of Fame.

On behalf of NAFEO, I thank you for affording me the privilege of appearing before you this afternoon to share with you information about, "Homecoming: The Historical Roots and Continued Contributions of HBCUs." I worked to plant the historical roots of HBCUs for nearly two decades as *pro bono* outside counsel for NAFEO. For the last seventeen (17) years I have been assisting in shaping laws, policies, programs, opinions, and actions that are bearing fruit for the nation's richly diverse cohort of HBCUs, for the nation and the world, as the best return on the higher education investment dollar.

In no small measure because of NAFEO's 52-years of advocacy on behalf of HBCUs and their service communities in courts, legislatures, executive and administrative suites, and yes, in the streets, NAFEO has been at the forefront of moving HBCUs from where they were in the late 1960s to where they are today, with greater investments---not commensurate with their missions and their return on investments, but closer to realizing their potential for getting America on course and keeping her there.

As HBCUs are receiving greater investments, they are yielding increased returns on the investments because of a large and diverse group of stakeholder champions including continued bipartisan and bicameral investments from Congress, for which NAFEO is grateful. We are especially grateful to this Subcommittee, the other subcommittees of the Education and Labor Committee, and the Committee of the whole. The HBCU Community has been able to grow 11 Carnegie classified Research 2 Doctoral High Research Universities. These eleven universities are mostly responsible for graduating 42 percent of Blacks with advanced degrees in the sciences, technology, engineering and mathematics (STEM). This number is insufficient to create and sustain a pathway for supplying 15% of America's excellent, diverse, leaders in STEM to meet the needs of the American labor force, the scientific research needs of the nation, and other needs. While the 11 HBCUs in the R-2 classification are insufficient for HBCUs to create and sustain a pipeline that will ensure that HBCUs carry their weight in scientific research, several of the HBCU R-2 universities are preparing to move from the R-2 classification into the category of R-1, very high research institutions.

To move from R-2 high research institutions to very high R-1 research institutions, the R-2 HBCUs are conducting leading research in campus and community-based centers of excellence, the Office of National Laboratories (ONL) in Alabama, Florida, Maryland, New Jersey and New York, and in National Homeland Security laboratories and centers, and the Department of Energy's national labs, corporate, foundation, and in 2 community laboratories. The work they are doing is playing a central role in closing the education, employment, wage, economic, wealth, health, sustainability, nutrition, housing and justice gaps in America and around the globe. Especially significant for this season, HBCU accredited medical and public health centers

are engaged in COVID-19 research. The four accredited HBCU medical schools, the thirty-one accredited HBCU and PBI nursing schools, three accredited HBCU and PBI schools of public health, two dental schools, veterinary school, and occupational therapy school are graduating excellent, diverse health professionals and para-professionals who are serving in low-resourced areas of high need, offering patients excellent, culturally and linguistically appropriate care, in their communities, expanding access and quality of care. To move some or all of the R-2 HBCUs into the R-1, very high research-intensive classification, we must close the funding gap between the HBCUs and the Historically White Colleges and Universities.

There are roughly ten HBCUs that are preparing to move into the R-2 Doctoral University High Research Classification. Eliminating the vestiges of the *de jure* discrimination visited upon HBCUs and their core stakeholders for more than 200 years, is essential for these research institutions to move up the rank.

To enable our important and unique segment of mission-based institutions to grow more and stronger Baccalaureate and Associates Colleges, will require that the United States close the gap between the funding of HBCUs and HWCUs once and for all, and that it eliminates other vestiges of discrimination, as required by the law. The inclusion of the "Free Community College" provisions in the reconciliation, will only create greater opportunities for the seventeen HBCU community or technical colleges, if they, too, are funded at a level such that they will be comparable to and competitive with the other community and technical colleges of the states in which they reside and states that they serve.

As the non-profit association founded in 1969 as the membership, trade, and advocacy association for public, private, land grant and sectarian, two-year, four-year, graduate and professional HBCUs and since 2008, Predominantly Black Institutions (PBIs),³ NAFEO is in no small manner responsible for the continued investments in HBCUs and for their continued contributions.

NAFEO is organized to articulate the need for a higher education system where race, income, and previous education are not the determinants of either the quantity or quality of higher education. It is an association of those colleges and universities which are not only committed to

³ NAFEO led in creating a demographic-class of Predominantly Black Institutions (PBIs) that also serve as NAFEO members. Like Hispanic-serving Institutions (HSIs) and Asian American Native American Pacific Islander-serving Institutions, which NAFEO also supported in including in the Higher Education Act, PBIs demographic-institutions. They must enroll 1000 FTE at least 50% of whom are Pell-eligible, at least 50% of whom are first generation college students; at least 40% of whose enrolled students are Black Americans; and at least 50% of whose students are enrolled in an education program leading to a bachelor's degree, or in the case of a community or technical college, are enrolled in a program leading to an associates degree, like HSIs, PBIs are MSIs. Also like HSIs, most PBIs are two-year institutions. Unlike HSIs, no current PBI has a Carnegie classification as a R-2 research intensive institution, or an R-1 high research institution. Some HSIs are well-resourced Historically White Institutions (HWIs) that are dubbed Minority-serving Institutions (MSIs) because of the requirement that they enroll a 25% of Hispanic or Latin X students and meet other criteria. Similar to PBIs, they qualify for special resources, among other things. Neither HBCUs nor TCUs are technically MSIs. They are mission-based institutions that have **no racial or ethnic criterion**. There are 6 HBCUs that today have majority non- African-ancestored student bodies.

this ultimate goal, but are now fully committed in terms of their human and financial resources, to achieving this goal. The Association seeks to provide a unified framework representing historically black colleges and universities, and their attempt to continue as viable forces in American society, and to do so by demonstrating their centrality to American progress, and their return on investment.

NAFEO, through the collective efforts of its membership, is committed to promoting the widest possible sensitivity to the complex factors involved and the institutional commitment required to create and operate successful higher education programs for students from groups buffered by the racism, exploitation, and neglect of the economic, educational, and social institutions of America. NAFEO has been leading in this space in American courts, legislative, administrative, and executive bodies mostly in the 25 states, the District of Columbia and Virgin Islands, where we have members.

Our HBCU members were born out of the tyranny of the global slave system, at a time when Blacks and other progeny of the American slavery were denied access to historically White colleges and universities. From their inception, HBCUs have, without exception, been open to persons of all races, sexes, colors, creeds, and they have offered employment and other incidental privileges to all who have passed through their doors, except where state law prohibited the same. They have been menders and healers for wounded minds and restless souls. They have produced and they continue to produce sterling talent which has benefitted and is continuing to benefit the Republic beyond measure of calculation—not only in material contribution, but in intellectual, cultural, moral, and spiritual offerings, as well. In a number of instances the HBCU cohort has been more profoundly representative of the American Ethic than the larger, more affluent schools of higher education in this country.⁴

“Title 20, Chapter 28, Subchapter III, Part B, Section 1601 defines HBCUs as any historically Black college or university that was established prior to 1964, whose principal mission was, and is, the education of Black Americans, and that is accredited by a nationally recognized accrediting agency or association determined by the Secretary to be a reliable authority as to the quality of training offered or is, according to such an agency or association, making reasonable progress toward accreditation.... Any branch campus of a southern institution of higher education that prior to September 30, 1986, received a grant as an institution with special needs under section 1060 of this title and was formally recognized by the National Center for Education Statistics as a Historically Black College or University but was determined not to be a part B institution on or after October 17, 1986, shall, from July 18, 1988, be considered a part B institution.”

HBCUs were founded to primarily serve those who were severely crippled by over 200 years of dehumanizing slavery and for an additional 200 years who have suffered the vestiges of *de jure* discrimination according to the findings of the United States Congress, state legislatures, Chief Executives of our nation and states, and judicial findings beginning in 1973 with *Adams v. Califano* that NAFEO and I were privileged to advance.⁵

⁴ This paragraph and others in this testimony contain language written originally by Attorney Lezli Baskerville, who is submitting the testimony on behalf of NAFEO. The language was originally contained in amicus curiae briefs, later in writings, other testimony, musings, Opinion Editorials, and speeches.

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HBCUs were founded primarily to serve those in America who have also suffered the dehumanizing and demoralizing effects of chronic poverty, and in many instances abject poverty, as a vestige of slavery, and the intentional discrimination, segregation, isolation, voter suppression that have denied Blacks a full and fair voice in laws, policies, and practices that impact their lives. HBCUs were also founded to equip excellent, diverse professionals, for seats at the tables of educational, economic, and entrepreneurship leadership and those of wealth creation and law, who would leave in moving families from the middle classes to the wealth class.

From their beginning and to this day, HBCUs remain woefully under-funded in relation to their historically White counterparts. Churches and abolitionists initially funded HBCUs. In 1890, in the Second Morrill Land-Grant Act, federal financing became available for HBCUs when the United States Congress mandated that the states that maintained public “land-grant” institutions for White students must establish comparable public institutions for the sons and daughters of the American slave system.⁶ There was no mandate that the states that maintained a dual higher education system must fund the public HBCUs at a rate comparable to the public HWCUs relative to their missions. The historical record provides abundant evidence that they did not.⁷ The gross disparities in funding for public HBCUs and public HWCUs remain manifest today, despite more than forty years of legislation and litigation.⁸ Financing remains the primary impediment to gaining the optimum value from the HBCUs in terms of their contribution to American economic growth and the commonwealth.

Despite their shared under-funding, the cohort of HBCUs is as richly diverse as the overall cohort of higher education institutions. There are two (2) and four (4) year colleges and universities, public, private, land-grant and sectarian institutions; undergraduate, graduate and professional schools. They have made collegiate training accessible and affordable to primarily African American students, many of whom might not have otherwise obtained a higher education because of the barriers to college admission historically associated with race, ethnicity, gender, religion, and socio-economic status. They have made and continue to make available, a world class education for students who could excel and thrive at any institution. They also function as economic engines and economic incubators for their service areas where they, today, account for roughly \$15 billion in short-term, direct economic impact.⁹

⁶ See Jenkins, R. L. (Spring 1991). “The Black Land-Grant College in Their Formative Years, 1890-1920.” *Agricultural History* 65, no. 2, pp. 633-72. In the case of *Adams v. Richardson cum Califano* eighteen states were identified as maintaining a dual and unequal public higher education system: Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia.

⁷ Ibid.

²⁴ See, Brittain, J. C. (July 17, 2006). *Higher Education Desegregation: Equity and Comparability for Historically Black Colleges and Universities (HBCUs)* Washington, D.C. Convention Center: NAACP Continuing Legal Education Seminar.

Some civil rights advocates attempted to reduce the disparities in between HBCUs and TWIs by demanding, in *Adams v. Richardson*, that the then United States Department of Health, Education and Welfare (HEW), enforce Title VI of the 1964 Civil Rights Act which prohibits discrimination based upon race among covered categories for any recipient of federal funds. All state institutions of higher learning receive federal funding. Enforcement of the *Adams* consent decree ebbed and flowed depending on the commitment of the Administration in office to attaining a strong, race-neutral, complimentary public higher education system. The successor to HEW, the U.S. Department of Education and its Office of Civil Rights (OCR) entered into numerous administrative consent decrees with states to provide comparability of public HBCUs and public HWCUs in the same states. In case of *Adams v. Richardson cum Califano*, 430 F. Supp 118 (1977), the court identified ten states that maintained dual systems of higher education by race. This group was eventually expanded to include eighteen states: Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

⁹ NSF report, supra.

While Just a small fraction of the larger community of higher education institutions, HBCUs have a strong track record of identifying students with potential, supporting them through graduation, and cultivating their development as leaders.

Today, HBCUs, which enroll upwards of 300,000 students, have enabled those who were disenfranchised, exploited, hamstrung, humiliated, and denied full and unfettered access to the bounty of our blessed land, to receive certificates or degrees that paved the way for some to move from the margins to the mainstream, others to move from a number in the justice system, to meting out justice in accordance with the law

Although established in America in the mid-1800s by and large as teacher preparation institutions for the progeny of the slave system, HBCUs, without exception, have from their inception been open to students, faculty and administrators of all races, colors, creeds, religions and both genders expect in student bodies of institutions whose expressed mission is to provide single-sex education. HBCUs have through the years collectively offered academic and employment opportunities and attendant benefits and privileges to all without regard to non *bona fide* criteria or considerations, except where state law prohibited the same.

NAFEO believes that the goal for increasing federal investments in HBCUs is especially needed and attainable at this time that we are calling a “Season of New Hope,” and “Harvest Time for HBCUs,” because we have an Administration, and a Congress in which we have bipartisan and bicameral support for equitable investments in HBCUs, as offering among the best return on investment. In spite of the returns, IPEDS data from recent years indicate federal agency and departmental investments in HBCUs declined from \$2,438,557,058 in 2010 to \$1,963,328,814, according to an October 2016 report of the Chairman of the President’s Board of Advisers on HBCUs. A July 15, 2021, National Science Foundation Report by the National Center for Science and Engineering Statistics found that federal support to HBCUs for science and engineering decreased by 37% between 2009 and 2019 as compared with a decrease of 10% during the same period to overall S & E funding for higher education institutions.

The failure to remedy the unique infrastructure underfunding facing many HBCUs, as the result of the vestiges of years of *de jure* discrimination and continued disparate public funding, and the failure to invest in the infrastructures of HBCUs such they will be comparable to and competitive with the HWCUs in their states, will continue to hamstring HBCUs and deny America the full benefits of optimized HBCUs.

In the absence of aspirational goals for increasing investments in people and institutions that have been denied equitable investments, the investments generally fail to occur.

Congress has recently reaffirmed and in its White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity through Historically Black Colleges and Universities, the Administration acknowledged that:

“HBCUs’ successes have come despite many systemic barriers to accessing resources and opportunities. For example, compared to other higher education institutions, on average HBCUs educate a greater percentage of lower-income, Pell-grant eligible students, while receiving less revenue from tuition and possessing much smaller endowments. Disparities in resources and opportunities for HBCUs and their students

remain, and the COVID-19 pandemic has highlighted continuing new challenges. These challenges include addressing the need for enhanced physical and digital infrastructures in HBCU communities and ensuring equitable funding for HBCUs as compared to other institutions of higher education. The Federal Government must promote a variety of modern solutions for HBCUs, recognizing that HBCUs are not a monolith, and that the opportunities and challenges relevant to HBCU are as diverse as the institutions themselves and the communities they serve.”

Greater investments in HBCUs should occur because their returns are proportionately greater relative to Blacks and other diverse, under-represented populations, who are, among the growing populations of the nation, than investments in other institutions. While comprising only 3 % of the nation’s four-year colleges and universities, HBCUs are leading the way in educating African American graduates in scientific, technological, physical, mental, and spiritual health professions. They are graduating 53% of Blacks in Agriculture, 50% of Blacks in Communications Technology, 50% of public educational professionals, 46% of Black women in STEM, and 42% of Blacks who earn advanced degrees in STEM. They are graduating disproportionate percentages of Blacks in other fields required for a strong and competitive economy, a peaceful and just society.

The fifteen HBCU 2-year colleges are preparing diverse students for growth and high need disciplines in the workforce. They are preparing disproportionate percentages of Blacks for certificates and licenses in STEM and health professions, and will play a central role in putting America back to work, if invested in commensurate with their graduation of woefully underrepresented populations and growing populations. They are located in many of the most distressed communities in the nation, with the highest unemployment. They serve as resources and beacons of hope for these communities. The 2-year HBCUs are also assisting those who are in the workforce as well as returning war veterans to retool and leverage their experiences and service to make America strong, peaceful, and just.

HBCUs are mostly located in areas of high distress, high un- or under-employment, lower education attainment and fewer resources. Most HBCUs are the economic engines in their communities. According to the National Center for Education Statistics and UNCF, the short-term economic impact of HBCUs is \$15B. Short- term economic impact is defined by NCES as the expenditures of the colleges and universities on salaries and other institutional expenditures, and the expenditures of undergraduate, graduate, and professional students attending the institution in the communities in which the institutions are located. This figure does not capture the vast other multipliers for out years. Nor does it reflect the goods and services offered by the campuses in their service areas.

The economic impact of HBCUs is evident not only in terms of job creation and community investment, but in upgrading the skills, earning potential, and taxpaying capacities of their students.

Despite the above HBCU successes and their proven high yield, HBCUs continue to be hamstrung by the vestiges of years of denied and gross underfunding. These referenced disparities in funding of HBCUs provided the impetus for HBCUs to seek and secure the *Strengthening Institutions* provisions contained in the Higher Education Act, and for congressional investments in higher education research and infrastructures, in particular. To

attain lasting reversals of the vestiges of *de jure* discrimination and to open the doors to other opportunities for HBCUs, their students, and service communities, since its founding 52 years ago NAFEO has worked with Members of Congress; the Office for Civil Rights, in the Department of Justice and Department of Education, with state chief executive officers, and state higher education executive officers, our members and allies, to strengthen HBCUs and better position them to service their communities, the nation and the world, in alignment with their missions.

The federal human and capital resources that have enabled HBCUs, HSIs, TCUs, PBIs, AANAPISIs, and community colleges to become stronger and in many instances to thrive, and paved the way for more of their core constituents to move from the margins to mainstream, was the result of measured, strategic actions by those in the HBCU Community. The greater investments in HBCUs were sought based on the intentional and systematic exclusion of HBCUs from equitable public and private investments that, among other things, resulted in their underfunding. As the result of the underfunding, some HBCUs experienced years of deferred maintenance, endowments that are, today, one eighth the size of the average historically White college or university; less diversity in their academic offerings, relative to their missions and their public HBCU counterparts. It resulted in some of the HBCUs having fewer courses in growth and high need disciplines, fewer resources for extension services, a smaller number of artistic holdings and academic library holdings; too few and some ill-equipped research laboratories, and in HBCUs being less likely to attain capital financing than similarly situated HBCUs, even to this day. These are direct results of *de jure* discrimination and its vestiges.

The courts and administrative bodies that have examined the disparities between public HBCUs and HBCUs have delineated vestiges of the disparate treatment of HBCUs that are compromising the effectiveness, efficiency, and equity of public higher education systems across America. The most frequently cited lingering vestiges have been the disparities between infrastructures at public HBCUs and public HBCUs in the same states.

The focus of the HBCU Community, and its allies, on strengthening HBCUs was always toward the end of attaining excellence and equity. Their efforts expanded beyond working to strengthen HBCUs, to include leading in defining and fighting for funding for tribal colleges and universities—mission-based higher education institutions anchored in the rich tapestry of the American Indian experience, that provide a high-quality education, and serve as a vital pathway for improving life options and outcomes for American Indians and others.

In later years, on behalf of the HBCU Community, NAFEO led in defining and seeking a fair share of public higher education resources for institutions that evolved based on the demographic shifts in America. The institutions-- Hispanic-serving Institutions, Predominantly-Black Institutions, Asian Pacific Islander and Native American Institutions-- were ultimately defined as Minority-Serving Institutions.

The histories and missions of AANAPISIs, HBCUs, HSIs, PBIs, and TCUs differ substantially. There are similarities in their service populations, and their unique abilities to serve their targeted populations. These institutions are continuing to do the best job of providing access to high quality postsecondary education opportunities to the growing populations in America, disproportionate percentages of whom are low-income, first-generation students, and students of color. For these reasons and because the HBCU Community has remained focused on leading

the nation in attaining greater education access, excellence, equity and success, the HBCU Community, has led in getting included in legislation, regulations, Executive Orders, and administrative fiats, the emerging classes of demographic-based colleges and universities that educate disproportionate percentages of the growing populations in America, and sought strengthening opportunities for all of the referenced institutions. The results are inuring to America. We are concerned, however, that as the demographic-MSIs are growing in numbers, with little understanding about the special relationship between HBCUs and America, owing to the fact that HBCUs are the only American cohort of colleges and universities that were intentionally and systematically denied public and private resources, and from which they continue to suffer adverse vestiges, HBCUs must be de-coupled from other cohorts as they seek to attain equity and opportunity during this “Season of New Hope;” this “Harvest Season” for HBCUs after 400 years of denials by the United States Government

NAFEO and I look forward to working with you and your legislative teams to identify the best ways and means of ending discrimination in higher education in America once and for all.

I thank you for affording me the opportunity to address you this afternoon.

I stand ready to answer any questions you may have.

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