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## Arizona State Ends Class Limited to Native Americans

Arizona State University announced this week that it has told a professor that he may not limit enrollment in some class sections to Native American students.

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The professor believes that it was educationally and legally appropriate for him to have the separate sections. But the university barred him from continuing to do so after a civil rights group complained. Last month, the University of Oregon [changed a policy](#) that gave some minority students priority enrollment in some class sections. Oregon acted after a student filed a complaint with the U.S. Education Department. And the Foundation for Individual Rights in Education, the group that challenged Arizona State's class section, says that it is investigating another complaint about race-exclusive classes.

At Arizona State, the courses were taught by [G. Lynn Nelson](#), an associate professor of English. The classes Nelson taught were sections of a freshman English course of which there are dozens of sections. In an interview, Nelson said that about 10 years ago, he noticed that Native American students were not faring well at the university, and that he thought they would do better if they could take a course focused on their own experiences. So he created the special sections.

Nelson said that non-Native American students could enroll — and did a few times — if they came to him and he explained that the focus would be on Native Americans. But Nelson's Web site until a few weeks ago has a note saying "For Native Americans only" beside the description of these sections. While Nelson has removed that language, FIRE has reproduced the [Web site](#) as it appeared previously.

Even if other students had been barred from the sections, Nelson said that would not have been discriminatory because there are so many other sections of the course. "It's not like anybody is being denied access," he said.

Asked how he would feel if another professor created a section for wealthy white students, Nelson said

“that’s all right with me.”

Nelson said that the future of the course was “up in the air” and that he did not know how Arizona State planned to respond to the FIRE complaint. He said that his only contacts with university officials had been when they asked him to change his Web site and not to talk to reporters about his course.

“I hope they will defend this course,” he said. Currently, there are two sections of the course and they each have about 20 students, all Native Americans. “It would be extremely sad if this ended because it’s not denying anyone anything,” he said.

Terri Shafer, a spokeswoman for Arizona State, said that the university would not defend the course because it violated Arizona State’s policies. “All of our classes are open to all students,” she said. “That was a mistake by a faculty member. That was not the university’s position.”

Shafer said that the university notified Nelson that he would need to change his policy as soon as FIRE sent the letter.

Greg Lukianoff, director of legal and public advocacy for FIRE, said that he did not doubt the good intentions of Professor Nelson. “I’m sure that his heart is in the right place, but racial segregation is unconstitutional for a reason,” he said.

Michael A. Olivas, a law professor at the University of Houston and director of the Institute for Higher Education Law and Governance, is a strong supporter of affirmative action. But he said that he did not think there was any legal defense for separate classes based on race or ethnicity. He said that professors creating such classes may mean well, but they end up playing into the hands of groups like FIRE, “which is looking for these kinds of transgressions rather than concentrating on ways that all students can be helped.”

Olivas said that despite the controversies in Arizona State and Oregon, he thought such classes were few and far between. He also said that these disputes distract people from other inequities in academe, such as “set asides at universities that are for rich white kids — they are called honors programs.”

— [Scott Jaschik](#)

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