

Guidance re: Recruitment, Admissions, Hiring and Other Selection of Individuals

All Northwestern University faculty, staff, units, and departments are required to comply with applicable anti-discrimination laws.¹ This memorandum has been prepared as a reminder to the Northwestern University community about the requirements under federal anti-discrimination laws and provides guidance regarding selection of individuals in activities like recruiting, admissions, hiring, or other opportunities (e.g., training or professional development), at Northwestern University. University stakeholders with questions about specific activities should contact ad-faqs@northwestern.edu for guidance.

As recent federal guidance explained, federal law “prohibits covered entities from using race[, color, and national origin] in decisions pertaining to admissions, hiring, promotion, compensation, financial aid, scholarships, prizes, administrative support, discipline, housing, graduation ceremonies, and all other aspects of student, academic, and campus life.” This same principle applies to all protected characteristics, including ethnicity, shared ancestry, and sex/gender. In sum, prospective recruits, applicants, and hired / enrolled / selected individuals should not receive differential treatment based on a protected characteristic, whether the role is as a student, staff or faculty member, trainee, honoree, or contractor.

Q1. Can we target individuals for recruitment based on their race, gender, or other protected characteristic?

A1. No. University employees should not target individuals (or groups) for recruitment based on their protected characteristics. All recruitment-related activities and benefits—including campus visits, pre-admission programming, and interviews—should be open to all qualified candidates/prospective individuals. When partnering with a third party/external organization to expand recruiting efforts, University employees should take steps to confirm that that organization, and its events, are likewise open to all irrespective of identity.

Q2. What are acceptable goals and practices related to recruiting?

A2. Seeking to establish touchpoints with a broad base of prospective recruits in order to maximize a pool of qualified applicants / individuals is an appropriate goal; however, no component of that goal should be implicitly or explicitly linked to race, sex, or any other protected characteristic. To this end, continued engagement in a variety of recruitment activities—including based on geography (urban and rural), territories, and, when applicable, abroad—and expansion of the pool of institutions, organizations, and industries from which prospective individuals are recruited may be considered.

Q3. Can we consider the race, sex, or other protected characteristic of applicants when selecting applicants for admissions, employment, trainee programs, awards, or other opportunities?

A3. No. Protected characteristics may not be considered when selecting applicants to participate in programs/opportunities; selection decisions must be identity neutral in this regard.

Q4. What can we consider when making selection decisions?

A4. Clearly defined identity-neutral selection criteria may be used (e.g., socioeconomic status (SES), geography, first-generation status), but these criteria may not be proxies for race (or other protected

¹ Please refer to Northwestern University's [Non-Discrimination Statement](#) and [Policy on Discrimination, Harassment, and Sexual Misconduct](#) for more information and resources.

characteristics) and must have identity-neutral justifications. Applicants' experiences, skills, and character attributes also may be considered, so long as that consideration is 1) independent from an applicant's identity itself, and 2) essays and other application materials are not used as an indirect way of considering racial identity or other protected characteristics.

Q5. What are acceptable practices in retaining individuals?

A5. Offering a variety of benefits, compensation, educational and professional development opportunities as retention tools remains acceptable, as applicable to the individual's role. Such offerings, including professional development or mentoring opportunities, must be open to all qualified individuals.

Q6. What is a way to describe recruitment and retention efforts conducted consistent with the guidance in these FAQs?

A6. Such a description may highlight efforts to recruit, select, and retain qualified individuals from a variety of personal, educational, and professional backgrounds, with experience in varied professional/business sectors, and who have a commitment to institutional and programmatic missions.

Q7. Can we collect demographic information from applicants or participants in our activities and programs?

A7. Demographic information is personal information, and care should be taken in its collection and handling. When required by law, demographic information should be collected. When the collection of demographic information is otherwise important for an activity or program (i.e. it has a legitimate business or academic purpose), information may be requested, but responses to such requests should be voluntary. Regardless of whether the collection of demographic information is permissible, protected characteristics cannot be used in selection decisions.

Q8. Can a description of these efforts also highlight how diverse the pool of recruits or applicants is?

A8. At the conclusion of the search and only after all selection decisions are finalized, demographic data may be analyzed. Care should be taken, however, to ensure that such analyses do not 1) imply that race, sex, or other protected characteristics were taken into consideration when making selection decisions, or 2) suggest that any University school or group had diversity "goals" as part of its selection process. This means that the relative diversity of a pool of recruits or applicants should not be a measure of "success" for a program/opportunity, or described in a similar fashion.

Q9. For training grants and other programs where outcomes are tracked, what are appropriate measures or metrics of "success"?

A9. Appropriate measures of success for a trainee program/opportunity should focus on tangible, objective activities or outcomes indicating that the primary goals of the program/opportunity (namely, developing competent and capable scientists and researchers) have been achieved. For instance, possible metrics of success could include scientific output of trainees (e.g., patent applications, academic publications, presentations at scientific conferences, etc.), trainees that go on to establish careers in their scientific area of focus (e.g., faculty at academic institutions or research scientists in labs), etc.

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