

Affirmative Action in College Admissions - California Edition

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Land Acknowledgement

We are presenting from the ancestral homelands of the Ohlone, Coast Miwok and Muwekma Ohlone peoples.

Princeton Review Foundation, a 501(c)(3) Nonprofit

- Advocacy work - anti-racist affirmative action (U. Mich., Fisher, Harvard cases), test free (UC committees) and URM test prep, trying to “make good trouble”
- Test critic, while empowering URMs to get their best scores on the SAT, ACT, GRE, LSAT, MCAT and GMAT
- Invited workshops for admissions staffs - UC Faculty Testing Task Force, Vassar, Princeton, Penn, Stanford, Mayo Med School, etc.
- My hip, retro email: jayrosner@earthlink.net



What is Affirmative Action in Admissions?

- In Harvard case: a “tip” given in admissions decisions, usually for qualified URM students, different weights.
- After the Civil Rights movement, available consistently in 42 states to facilitate diversity
- Attacked often by conservatives (since 1978, *Bakke*) as “discrimination against whites,” who, until recently, were overrepresented on selective campuses.
- Supreme Court has approved affirmative action, but 8 states prevent it in their public universities (California first in 1996).

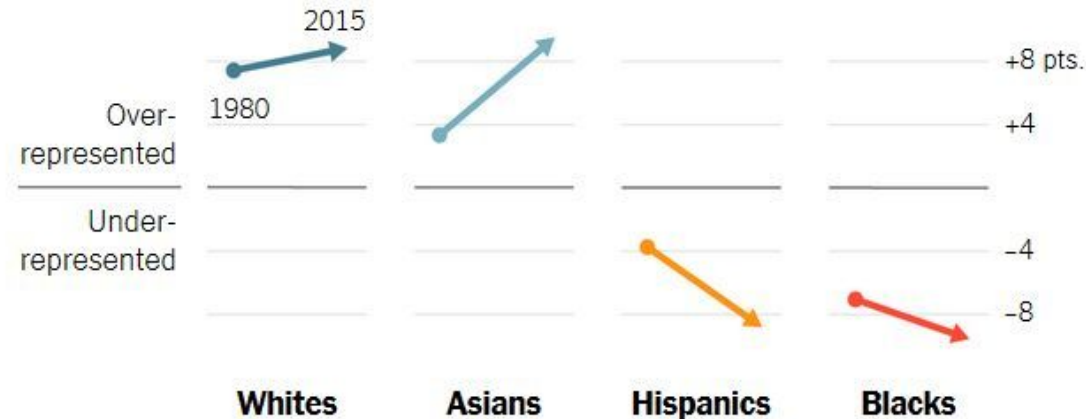


National Myth: Affirmative Action gives Blacks an “unfair” racial advantage

Reality:

Even With Affirmative Action, Blacks and Hispanics Are More Underrepresented at Top Colleges Than 35 Years Ago

By JEREMY ASHKENAS, HAEYOUN PARK and ADAM PEARCE AUG. 24, 2017



How much more or less each group is represented among freshmen at top colleges relative to the U.S. population

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Ashkenas, Jeremy, Haeyoun Park and Adam Pearce, “Even With Affirmative Action, Blacks and Hispanics Are More Underrepresented at Top Colleges Than 35 Years Ago,” *New York Times*, Aug. 24, 2017

National Affirmative Action Overview

- The Biden Administration dropped an anti-affirmative action lawsuit against Yale; however, SFFA says they will refile
- *SFFA v. Harvard* - 1st Circuit victory, SFFA has until mid-April to file in the Supreme Court
- With new justices, 6 likely votes against affirmative action
- *SFFA v. UNC* - trial is over, closing briefs are still being filed
- *SFFA v. UT-Austin* - petition to intervene granted



Students



Thang Diep



Sally Chen



Itzel Vasquez-Rodriguez



Sarah Cole



Margaret Chin



Cecilia Nunez



Catherine Ho



Madison Trice

V: Race-Neutral Alternatives

Race remains necessary...

1. Race provides critical context for assessing strengths and potential contributions
2. Racial diversity enriches the educational environment for all students
3. Eliminating the consideration of race would sharply reduce the number of Black, Hispanic, and other minority students



Race-conscious policies view Asian American ethnicities in a positive light, not a negative one



Notes:
EJB, L

Essay- immigrant Vietnamese identity & pencils as tools; EC: Filmmaking summit; Add'l- grappling with sexual identity

SCD

Reader Comments:
EJB, L

Thang is an incredibly hard working student and very committed to pushing himself academically and personally. He's done a good deal to push his own boundaries and explore new experiences. Support expresses admiration for his intellect, work ethic, and leadership on campus. A well involved, first generation student from a modest background. One to compare with HFAI info.



2 ACADEMIC

Magna potential.

Sally's quantitative skills are well-complemented by her interest in American literature. Categorized as low-income and with Taiwanese-speaking parents, she relates to the plight of the outsiders in Ralph Ellison and William Faulkner. She has the potential to be strong in both the humanities and the sciences, as she chooses (or maybe find a discipline that combines them).

2 PERSONAL QUALITIES

Strong personal appeal and character

In a short conversation we were drawn in by Sally's warmth and sense of humor. Her clear drive is tempered with self-deprecation and authenticity. For example, she shared that it was her desire to make friends that led her to run for student government. She laughed about her parents driving around a strange neighborhood waiting for the interview to let out. She enquired about the food at Harvard. Her claims about making friends across multiple social groups seem credible. As the youngest of 4 in a culturally Chinese home, she feels a responsibility to take care of her parents.

SA-2.0002

California Affirmative Action Overview

- Proposition 16 to reverse Proposition 209 (1996) failed by a considerable margin in the November election.
- SAT/ACT (and LSAT, MCAT) scores have been at the center of all anti-affirmative action lawsuits, scores = merit
- Now test free: the UC system (lawsuit), likely 4 years, Caltech at least 2 years and CSUs. Others?
- Implications for the UC Committees on which I served.
- Increase in weight of SAT scores made affirmative action necessary.
Alon and Tienda, Diversity, Opportunity and the Shifting Meritocracy in Higher Education, Am. Soc. Rev. 2007



Our Stories

Advocates File Suit Against University of California for Discriminatory Use of SAT/ACT in Admissions



**Kawika Smith and
Jessica Gomez**

Brief SAT/ACT History, Eugenics

- “In 1933, James Bryant Conant, on becoming president of Harvard, decided to start a new scholarship program for academically gifted boys who did not come from the Eastern boarding schools that were the regular suppliers of Harvard's students. ... Carl Brigham (in 1926, had developed) the SAT. Conant liked the test because he thought it measured pure intelligence, regardless of the quality of the taker's high school education.” PBS Frontline “Secrets of the SAT”
- E.F Lindquist, 1959, ACT. 1947, ETS Berkeley office, 1967 UC requirement.
- “(T)he history of the SAT itself shows us that numbers can also be used to enforce power systems. The original SAT was invented in 1926 by Carl Brigham, a(n) ... avowed eugenicist who created the test to uphold a racial caste system. ... The tests, he wrote, would prove the racial superiority of white Americans ...” Sidney Fussell, May, 2019. *The Atlantic*. More detail on eugenics and the SAT in *The Big Test*, Nicholas Lemann.
- “In 1951, Martin Luther King Jr. took the GRE for admission to the doctoral program at Boston University. The verbal aptitude score of a man who is now viewed as among the nation’s greatest orators ever was in the third quartile, or below average.” *New York Times*, November 8, 1997.

A Few Recent “Objective” Quotes

- “(T)he SAT is ... (an) **objective** measure of student achievement ...” Zachary Goldberg, College Board, *WA Post*, 11/6/19.
- “Testing (e.g., the SAT) is at least **objective**.” Editorial, Wall St. Journal, 11/8/19.
- Webster definitions of “**objective**”: a.) expressing or dealing with facts or conditions as perceived without distortion by personal feelings, prejudices, or interpretations (emphasis added).
- “Standardized tests have become the most effective racist weapon ever devised to **objectively** degrade Black minds and legally exclude their bodies.” Ibram X. Kendi, from *How to Be an Anti-Racist*



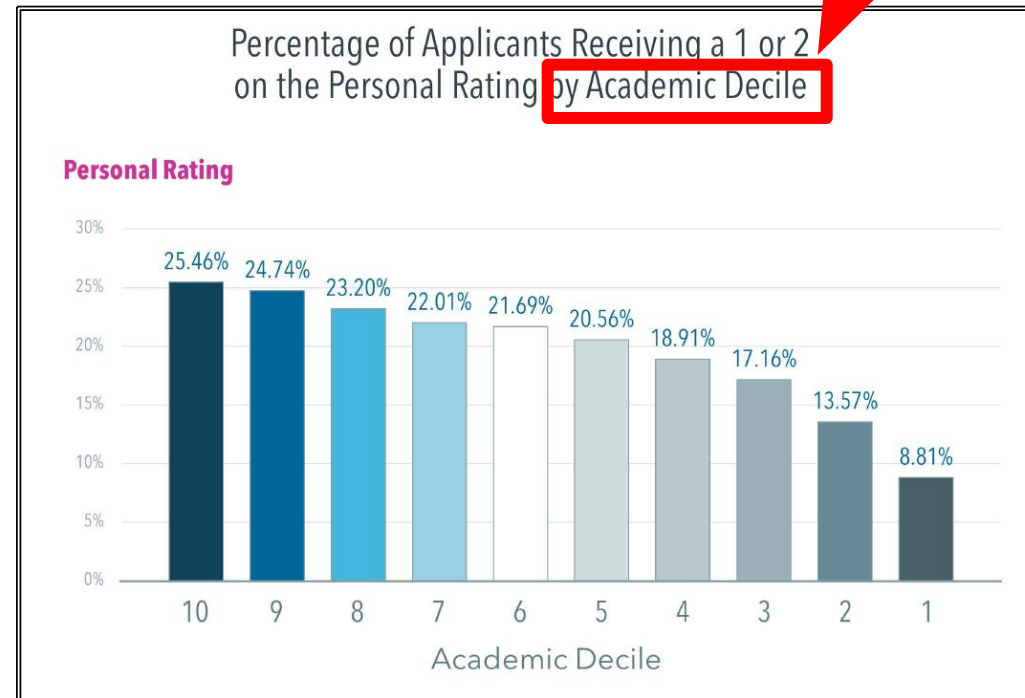
SFFA's Method of Proof Overemphasizes Academic Metrics & Overlooks Extra-cognitive Factors

Personal score analysis

No reason to presume a personal score should correlate with academic decile

SATs and GPAs have their own baked-in biases

Entirely Based on SATs & GPA



TRIAL: Strategy & Record

NEW STRATEGIES

Purport to support student
body diversity

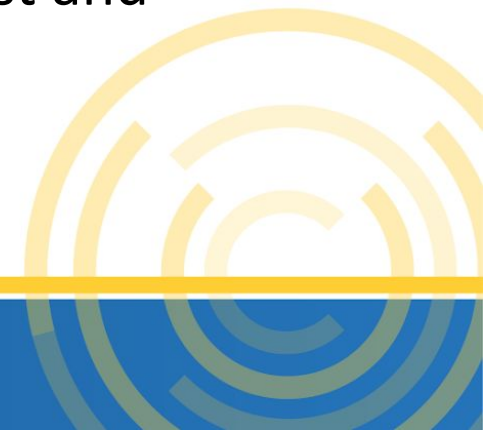


**“The future of affirmative
action is not on
trial...Students for Fair
Admissions supports
diversity on campus**

October 15, 2018
Adam Mortara, SFFA Trial Counsel

SFFA v. UNC

- Past, current, and prospective Black and Latinx students who were granted intervention to discuss:
 - the legacy of segregation and discrimination tied to North Carolina and UNC
 - the effects of existing and proposed admissions processes on the critical mass of underrepresented students of color at UNC.
- Reviewing multiple sources of data to understand if the educational benefits of diversity were present on UNC's campus, while centering critical mass - and therefore the racialized experiences of students of color within a racist and segregationist historical/institutional context.



Some questions we need to answer

- When schools respond to questions of diversity, equity, climate and inclusion, how can we support distinguishing between strategies that authentically promote racial equity and educational benefits versus those that expand white privilege?
- How do we further refine diversity and racial climate assessment tools to support practitioners in evaluating student experiences and institutional responses in relation to structural violence, and tied to implications for educational benefits and racial justice?



Some questions we need to answer

- How might accounting for racialized contexts be a way for us to account for racism in the admissions process, even while under 209-type restrictions?
- How might we start this at the high school level and think about critical mass when it comes to student success and matriculation to college?



Some suggestions and additional reflection questions

- Addressing white backlash and proactively building a racial climate that is equity-oriented
- In college admissions
 - how might counselors support students of color in acknowledging their racial contexts and realities such that they are included in an admissions system that more and more seeks to invisibilize them?
 - how might predominantly white high schools foster critical mass and build counter-spaces to support students of color?
 - how might admissions better assess the capacities of students to contribute to a more just society rather than perpetuating biases?



Some suggestions and additional reflection questions

- Addressing diversity and inclusion in high schools means more than taking compartmentalized actions, but instead thinking about how everyday practices and decision-making behaviors thought of as “neutral” actually lead to increasing inequities.



Q & A

