

Affirming Equal Opportunity and Access in Higher Education
By Michele Siqueiros

At a time when California is facing a critical shortage of educated workers and has become a majority minority state, we must courageously contribute to a more thoughtful conversation on race inequity in our educational system and examine how increased access and student success at our public colleges and universities can help ensure the future social and economic well-being of our diverse state.

In March, Latinos became the largest ethnic minority in the state, making up 39% of the population. Today one in two Californians under the age of 18 is Latino. Latinos are followed by Whites who make up 38.8% of our state residents. California is also home to more African Americans than the states of Alabama, Louisiana and Mississippi (5.8% of the population). And one out of every three Asian Pacific Islanders in the United States live here (14% of the population). **The success of California's economy is tied to whether our more diverse residents significantly improve the rates by which they are prepared for college, enroll in college, and complete college.**

Earlier this year, Senator Hernandez (D-24) introduced State Constitutional Amendment 5 (SCA-5) that sought to restore affirmative action in higher education. Specifically, the amendment deleted provisions within Proposition 209 that prohibit discrimination or preferential treatment based on race, sex, ethnicity or national origin and would delete Proposition 209's applicability to the University of California and the public school system in the state. Despite initial broad support in the Legislature and having easily cleared the California Senate, the amendment stalled in the Assembly. *Background: Proposition 209 (also known as the California Civil Rights Initiative) was a 1996, California ballot proposition which amended the state constitution to prohibit state governmental institutions from considering race, sex, or ethnicity, specifically in the areas of public employment, public contracting, and public education.*

On April 22, 2014, in a 6-2 decision in *Schuette v. Coalition to Defend Affirmative Action*, the U.S. Supreme Court upheld Michigan's voter ban on the use of race, ethnicity, and gender by the state's public entities, including race conscious admissions decisions at the state's public colleges.

On June 24, 2013 the U.S. Supreme Court in a 7-1 decision in *Fisher v. University of Texas at Austin* supported the Universities admissions policies noting that race had an appropriate but limited role. Essentially affirming that race could be one of many factors colleges use in admissions. This came with the caveat that colleges must exhaust all other workable race-neutral alternatives and only if all else fails, could race be considered.

Between these two cases, the U.S. Supreme Court has essentially declared initiatives by voters that ban Affirmative Action like Prop 209 legal while also saying Universities can use race as one of many factors (assuming there is not a state ban).

These two high profile cases along with the recent California legislative proposal have put Affirmative Action front and center once again. In addition, a new field poll of registered voters released in late September seems to indicate majority support for affirmative action in higher education across racial groups including among whites (57%), Asian Americans (69%), Latinos (81%) and African Americans (83%).

Proposition 209 did have an impact on college application and admission rates for Latinos and Blacks in particular, to the University of California more specifically, and especially at flagship campuses like UC Berkeley and UCLA most notably. Since the passage of Proposition 209, Black admission rates to the UC have declined 17 percentage points and Latino admission rates have declined by six percent. In 1994, 57% of Black applicants were admitted to UC Berkeley and 51% were admitted to UCLA. By 2010, only 15% of Black applicants were admitted to UC Berkeley and 13% were admitted to UCLA.

In the 10 years since our inception, The Campaign for College Opportunity has maintained a laser focus on college access and student success, which cannot be met without addressing our need to improve college-going and completion rates for ALL students, regardless of background. Our founding Board members were especially concerned with the growing Latino population and their very low college educational attainment levels. More recently, we have been more aggressively calling for clear efforts to address inequities by race as we launched a series of reports on [*the State of Higher Education*](#) with detailed data on college preparation, college going and college success by race and gender. And while these reports, and others we have produced, detail stark inequities that exist in public higher education outcomes by race/ethnicity and propose several statewide policies to close equity gaps, the Campaign had not taken a position on whether we would like the ban on affirmative action in admissions to be repealed.

It is a fact that educational opportunity and attainment gaps exist by race and we have to find solutions to ensure that all of our students have the preparation and support they need to succeed and reach their college dreams at all levels of postsecondary, including at our elite UC campuses.

I feel pretty strongly that higher education conversations dominated by affirmative action alone are not helpful, especially in light of the reality that most students enroll and attend community colleges. But the ban on affirmative action, has had an impact, from discouraging students of color from even applying to the UC in the late 1990's to decreasing the percentage of Latino and Black students who were admitted, especially at the most competitive UC campuses. The impact of the ban on affirmative action isn't clear on the California State University (CSU), so a repeal of Prop 209 may primarily increase the diversity of our UC campuses, although potentially also impact the most selective campuses in the CSU including: San Diego State, Cal Poly Pomona, Cal State Long Beach, and Cal State San Luis Obispo.

We know affirmative action is not the only solution. And, **the ban on affirmative action in college admissions should not excuse our policymakers or education leaders from addressing the**

racial/ethnic gaps in our state and the opportunity gap facing many of our children in K-12 schools who are not adequately prepared for college. As I shared earlier this year in a meeting with President Napolitano of the UC system, even after admitting the best students – the UC has a gap in college graduation rates by race/ethnicity that needs to be closed. UC Riverside is well poised to show the rest of the campuses how this can be done effectively.

California succeeds when all students succeed. Closing the achievement gap deserves to be at the center of any higher education reform conversation. For every \$1 California invests in students who go to and graduate from college, it will receive a net return on investment of four dollars and eighty cents.

Therefore, we strongly support a modification to Proposition 209 in order to allow our colleges and universities to use race/ethnicity as one of many factors in weighing a candidate's qualifications for admission.

California has much to gain when we create a more diverse student body at our public colleges and prepare a diverse California workforce that is reflective of the diversity that makes up the population of our state. As a goal, our colleges and universities should aim to look like California, in admission and graduation rates. This is an important distinction from whether or not colleges are diverse based on the candidate pool they receive. Therefore, our support for a more diverse higher education system that looks like the state's population includes broader support for increased preparation of our high school graduates for college and significant improvement in the rates at which these students both apply, enroll and graduate from college.

Our support is about greater preparation, access and success for the increasingly diverse young people of our state. A call that is especially relevant given the enormous increase in the Latino young adult population, and the fact that Latino adults have the lowest rates of postsecondary attainment across all ethnic groups. **The data shows that if we closed the persistent gaps in college-going and completion for underrepresented students, the state would gain an additional 790,000 four year degree graduates by 2025, prepare up to 1,150,000 more adults with the skills and education we need for the workforce from the community college system alone, and California's personal income would increase by more than \$135 billion by 2020. And this is good for all Californians.**