THE CHRONICLE

of Higher Education

Commentary

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October 3, 2012

A New Kind of Affirmative Action Can Ensure Diversity

By Richard D. Kahlenberg

After almost a half century, American higher education's use of racial preferences in admissions to selective colleges may well be coming to an end. On October 10, the U.S. Supreme Court will hold oral arguments in the case of *Fisher v. University of Texas at Austin*, and many legal observers expect the court to curtail, or even eliminate, the ability of public and private colleges and universities to employ racial and ethnic preferences in admissions. Institutions are fighting valiantly to preserve the ability to employ racial affirmative action, flooding the court with amicus briefs. But given critical shifts in the makeup of the justices since a 2003 decision narrowly supported affirmative action at the University of Michigan, a new approach will probably be needed.

The good news for people concerned about racial and economic justice is that in several states that have banned racial affirmative action by voter referendum or executive order, legislators and college officials have not given up on pursuing diversity. To the contrary, they have invented new systems of affirmative action that in many respects are superior to the ones being replaced since they are attentive to both economic and racial diversity.

Seven states, with more than one-quarter of American high-school students, have abandoned racial and ethnic preferences at state colleges and universities; in two additional states, leading institutions have dropped race from admissions decisions. But as I outline in a new report for the Century Foundation, "A Better Affirmative Action," in almost all places where colleges have been barred from using racial preferences, they have adopted creative approaches for promoting diversity.

Six states have spent money to create new partnerships with disadvantaged schools to improve the pipeline of low-income and minority students. Seven states have provided new admissions preferences to low-income and working-class students of all races. Eight have expanded financial-aid budgets to support the needs of economically disadvantaged students. In three states, individual universities have dropped legacy preferences for the generally privileged—and disproportionately white—children of alumni. In three states, colleges created policies to admit students who graduated at the top of their high-school classes, thereby granting access to students from low-income schools that had little history of

sending graduates to selective colleges when racial affirmative action was in place.

How much racial and ethnic diversity was produced by these plans and by changing demographics in the state populations? We examined 10 leading universities in eight states for which data were available and found that in seven of 10 cases—Texas A&M University at College Station, the University of Arizona, the University of Florida, the University of Georgia, the University of Nebraska at Lincoln, the University of Texas at Austin, and the University of Washington—the proportion of African-American and Latino students met or exceeded the proportion achieved in the past using racial preferences.

The three exceptions—the University of California's Berkeley and Los Angeles campuses and the University of Michigan at Ann Arbor—draw more heavily upon a national pool of applicants and thus had to compete on an unfair playing field against competitors that were free to provide racial preference in admissions. If the Supreme Court were to curtail affirmative-action policies at colleges nationwide, it is likely that Berkeley, UCLA, and Michigan would have an easier time of encouraging talented minority students to apply and enroll than they do today.

Nonracial affirmative-action programs have been unfairly attacked on several grounds. Some people call them disingenuous; others say they deny the reality of racism. Alternatives to affirmative action are said to promote unqualified students and to be vulnerable to the same legal attacks as race-based programs. And some people ask: Why not promote affirmative action on the basis of both race and class?

Some people suggest that if we want racial diversity, we should just be honest and use race explicitly rather than indirectly, but there are significant moral and political costs to allocating admissions chances by race, which is why the Supreme Court, and the American public, generally disfavor its explicit use. Where racial diversity can be achieved without racial preferences, it should be.

Likewise, although it is routinely argued that racial preferences need to be in place as long as discrimination occurs, the courts have never allowed racial preference as a means of counteracting continuing societal discrimination and instead hold that the appropriate remedy to racial discrimination is punishment under civil-rights statutes. Moreover, using the right set of economic criteria in class-based affirmative-action programs can help counteract past and current instances of racial discrimination.

For example, the nation's steep wealth inequality reflects in some important measure the legacy of slavery and segregation as well as present-day housing discrimination. Smartly structured economic affirmative-action programs can count wealth as an admissions factor, thereby acknowledging discrimination indirectly without conflicting with our legal system and public perceptions of fairness.

Although some people suggest that admitting more low-income students will harm academic standards, Anthony Carnevale and Stephen Rose of Georgetown University have found that selective universities could, through a merit-based system that also considers socioeconomic disadvantage, boost the representation of students from the bottom socioeconomic half from today's 10 percent to 38 percent, with graduation rates remaining the same as under our current system of admissions that includes various preferences for minority students, athletes, and children of alumni. So, too, research by Sunny X. Niu and Marta Tienda of Princeton University rendered unfounded the concern that the "top-10-percent plan" in Texas would admit ill-prepared students who would perform poorly.

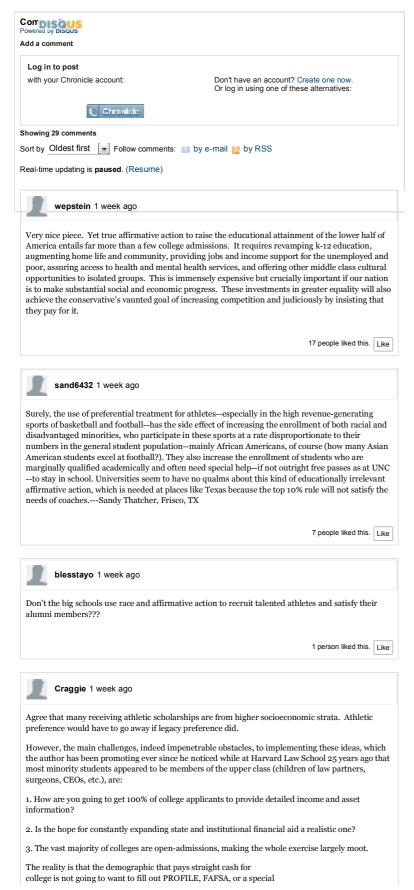
Some critics worry that if the Supreme Court strikes down race-based affirmative action today, it will strike down race-neutral alternatives tomorrow. In fact, socioeconomic classifications are subject to a far different level of judicial review than racial classifications. Indeed, the most conservative U.S. Supreme Court justices, Antonin Scalia and Clarence Thomas, have explicitly endorsed class-based affirmative-action programs.

Finally, while many people suggest that colleges should give admissions preferences on the basis of race and class, real-world experience suggests that socioeconomic and race-based affirmative action rarely coexist in practice. Indeed, in a 2005 study of highly selective institutions, William Bowen and colleagues found that being an underrepresented minority increased one's chance of admission by 27.7 percentage points, but being in the bottom income quartile (relative to the middle quarters) had no positive effect. So too, in a 2004 study of the nation's most selective 146 institutions, Carnevale and Rose found that race-based affirmative action tripled the representation of blacks and Hispanics but that universities did virtually nothing to boost socioeconomic representation per se.

Rich students were found by the authors to outnumber poor students on the nation's selective campuses by 25 to one, and more recent research suggests the situation has changed little in intervening years despite rhetoric to the contrary. By contrast, when universities are barred from using race, they ramp up consideration of socioeconomic status not because they suddenly care about economic diversity but as an indirect way of boosting diversity by race.

Producing racial and ethnic diversity without using the criteria of race is hard work and far less "efficient" than simply providing an admissions preference based on skin color. But experience in a number of states suggests that a Supreme Court decision curtailing the use of race could promote a better form of affirmative action that is cognizant of racial and ethnic diversity outcomes, and begins to correct, at long last, deeper issues of class inequality in higher education.

Richard D. Kahlenberg, a senior fellow at the Century Foundation, is author of The Remedy: Class, Race, and Affirmative Action (Basic Books, 1996), and the editor of Rewarding Strivers: Helping Low-Income Students Succeed in College (Century Foundation Press, 2010).



income & assets form the admissions office develops. There are also not-so-affluent groups which are privacy-conscious and debt-averse who won't provide the

info. In addition, in an era of FAFSA simplification, a new form

required for purposes of socioeconomic affirmative action will be frowned upon for practical

The other reality is that state aid to postsecondary education,

whether need-based financial aid or other types of support, is on a

long-term downward trend, not upward. Institutional aid from private nonprofit is also getting tighter; for example schools are dropping

no-loan policies and need-blind policies (plus 95% of nonprofit schools

were not doing those things any way). Traditional affirmative action is popular with "new Democrats" and moderate Republicans to a large extent

because the marginal fiscal cost is minimal.

So, is low socioeconomic status going to be self-reported by applicants? How reliable will this be? Growing up in upper-middle class neighborhoods I felt very poor. In reality, I was middle-class. For many 18 year-olds (and 48-year-old students), class is relative. And others may simply game the application process, which would be purely honor-system. Yes, some elite institutions when faced with bans on affirmative action have used essays to "read between the lines" and impute low socioeconomic status. This approach to reviewing applications is only feasible for institutions willing and able to devote significant time, money and resources to the admissions process.

12 people liked this. Like





graddirector 1 week ago in reply to Craggie

It will be even worse for graduate admissions. There is alot of noise both from government sources and others of the need to promote diversity in science, and it is actually a disgrace, on the order of only 70 African-American males got Ph.D.s in the life sciences last year out of thousands conferred for instance. However, how does one measure socioeconomic status for a graduate student? For lower middle class students, it is not that unusual for a family to move in and out of the definition of poverty, and it is not unusual for a parent to move out of poverty once their children are grown since the baseline salary that defines a family as poor tracks by the number of dependents living on it. Further, most graduate students are considered $independent \ from \ their \ parents. \ \ By \ FAFSA \ definitions, \ almost \ all \ of \ these \ folks \ would \ be$ considered "poor" even if their parent is in a high income profession. While I like the concept of using socioeconomics here, particularly because it would target a greater variety of low income students, including low income whites who who definitely have a different perspective from high income whites, I really dont know how to get it to work in practice.

It is possible that it is better to use parental educational attainment as a proxy for this. I believe ample evidence exists that first generation college students have a tougher time with everything in higher education than those from educated families. Also, first generation college students are more likely to be from lower socioeconomic strata, although I realize that is this not always true.

5 people liked this. Like





dralexanderhamilton 1 week ago

Mark my words. In 25 years, it will be whites who begin to beg for affirmative action for whites. We never debated racial preferences in America until the racial preferences switched from white to black. This country was built on racial preferences.

(Edited by author 1 week ago)

9 people liked this. Like



biaknabato 1 week ago in reply to draisxanderhamiton

And do Asians have something to do with it?

1 person liked this. Like



benno 6 days ago in reply to dratexanderhamiton

And Native Americans STILL don't have a voice in any "diversity" dialogue and they were here first.

Who's carrying their banner?

The newest Indian in town...Elizabeth Warren?

C'mon...America's "diversity" fantasies will continue into perpetuity...it's just the way our hypocrisy is wired.

5 people liked this. Like





der_maverick78 1 week ago

I'm annoyed that the author uses affirmative action and diversity as synonyms when they are not. This semantic contradiction is why the general public does not understand that the true intent of affirmative action is to ensure that the BEST candidate receives the business, education, or employment opportunity. Mind you, the best candidate could be disabled, black, gay or republican. Diversity, on the other hand, is a fact of life. It's weird to think that we have to "promote" that which is a fact. I wish people would make more of the distinction between these two words. It matters!

15 people liked this. Like



mxb22 1 week ago

How can you practice affirmative action at selective colleges without pushing aside white Anglo-Saxon students who are qualified for admission and who are in no way responsible for the inequality you are trying to cure? And for that matter, where do you get the idea that racial or ethnic groups must be equally or proportionally represented in higher education or in the professions? Asians are "over-represented"; Jews are "over-represented." Are you going to deliberately reduce their share? To make an omelette, you have to break some eggs, huh?

20 people liked this. Like





raymond_i_ritchie 1 week ago in reply to mxb22

You are right. I am Australian and 58y. I have more than once been passed over because my race, sex or age was wrong. What happens to those who are repeatedly passed over because of the nature of their birth which they had no control over? Americans do not seem to think about that.

One thing I know happens for sure. Those who do get repeatedly passed over because their race and sex is wrong tell their children and younger colleagues

For many "diversity" means they will never be able to attend graduate school, law or medicine

9 people liked this. Like



hhop! 1 week ago in reply to mxb22

Your comment and the reply suggest that all 'qualified' students would be accepted if there were no affirmative action. The truth is that qualified applicants far out-number available spots. Thus, the actual task is to select among qualified applicants. Historically, white students have been massively over-represented among those selected. It is undeniably painful to individuals when we readjust the percentage of white applicants who can expect to get accepted; on the other hand, overall the quality of the class improves because it is more selective. The major challenge to this conversation is the inaccurate belief that qualifications are easily quantified. There are plenty of successful people who were rejected by Yale, just as there are plenty of unsuccessful people who were accepted.

4 people liked this. Like





raymond_j_ritchie 1 week ago in reply to hhopf

Sorry mate but you are merely repeating your programming. EEO/AA and diversity adjusted appointments are an obscenity because people are deliberately passed over for non-merit reasons. That is wrong and no rationalisation can change that. Like nearly all americans you go along with the fraudulent excuse that those passed over will always find a job or position somewhere. Believe me they bloody well do not. If all those qualified for a position were put in a bucket and a name pulled out that would be so but someone whose race, sex, nationality or age is wrong is passed over every time, repeat, every time. You do not seem to understand that.

As for "It is undeniably painful to individuals when we readjust the percentage of white applicants who can expect to get accepted; on the other hand, overall the quality of the class improves because it is more selective". That is complete nonsense. How can the quality of a class be improved by excluding people for non-merit reasons? Try that in

Logic 101.

Here is another logic problem for you. Where in your universe would an Australian immigrant fit? At both universities where I worked as a post-doc I was classified an "Asian/Pacific Islander" not through any fraudulent actions by myself. On the EEO/AA racial classification forms I correctly described my racial/ethnic origin as "Australian' under "Other". Both universities reclassified me as Asian/Pacific Islander because they thought that was close enough and it made me "minority faculty". I am in fact of indefinite racial origin.

If I was an american I would seriously consider immigrating.

20 people liked this. Like



benno 6 days ago in reply to raymond j_ritchie

rjr,

I really appreciate your comments, especially when you pull the rug out from under American-centric "diversity", "multi-cultural" or non"ethnic" Americans (as if, anyone in the US is of "ethnic-free" background).

I live in the States, but was born an American citizens in a Latin American context and I still cannot believe that Americans (even with PhDs) STILL don't understand that there is no such thing as a "Latino" or "Hispanic" race. Unbelievably, people here (the US) actually talk (and presumably "think") in terms of Black, White, "Latino/Hispanic", Native American and Asian.

I speak/read or write several languages to varying degrees of competence...English, Spanish, Portuguese, Italian, French, Arabic and a smidge of Yiddish and have lived in numerous "foreign" cultural contexts from the US to Europe to Latin America to the Middle East and North Africa and I will NEVER get over my shock when I continue to hear about the "Latino/Hispanic "race" when NO such race has even existed in the history of man anthropologically, historically, socially or culturally.

I know Sub-Saharan (Black) people from Latin American contexts who are very clear about the DIFFERENCE between their racial background and their particular cultural, geo-political identifier..."Colombian", "Cuban", "Costa Rican" or "Chilean".

I also know European-descended people from "Puerto Rican", "Peruvian" or "Paraguayan" cultural sub-contexts

And the fact that the former President of Peru was a Japanese-descended Peruvian, who when he left office return to Japan to re-join his family of origin is apparently lost on most Americans who don't take the time to put down their TV remotes long enough to ever learn anything about Latin America besides stereo-types about Carnival in Rio or Donkey acts in Tijuana strip clubs.

So, try not to get too upset with the American mind-set. We get much of our "race" knowledge from talking Mexican Chihuahuas, Hip-Hop idiots with their pants below their asses or the Kardashian "celebrities", so that "knowledge" doesn't take us too much higher than the tattered "We Celebrate Diversity" bumperstickers on

And if our K-20 educational horizons keep sinking into that morass labeled "If you can't afford college, then you don't deserve to be educated", then there's no telling how low our cultural evolution will sink to in the future

Thanks again for your candor and refreshing insights into the aberration we call "diversity" in the US today

Jacques Cousteau would turn in his grave today to see how the word "diversity" that he used so often in his underwater documentaries has been so cheapened and

6 people liked this. Like



manoflamancha 1 week ago

Nothing short of government run child-care and nurseries to raise and nurture the offspring of minorities will reach the stated objectives. We are on that path now, If suddenly, the fertility of the minority groups (soon to be the majority) dropped, most of the problems of the so-called "disadvantaged" would disappear. We keep dancing around the problem of low intelligence coupled with high fertility. If we are to solve this social problem, we must honestly define the problem in the first place. The earth is finite and so are the resources!

9 people liked this. Like



bdavi52 6 days ago

What a sad & depressing perspective...that we would point to the fact that "Institutions are fighting valiantly to preserve the ability to employ racial affirmative action" in admissions as a good thing, when it is that exact kind of racism that people died trying to eliminate in 1961-3. George Wallace,

as he stood before the schoolhouse door, was one of the most vocal defenders of that way of thinking and it is tragic that 50 years later we find ourselves linking arms with him in some twisted ideological agreement.

It was not right in 1963 to refuse admission to students because of the color of their skin; it is still not right in 2012. It was not right in '63 to admit only "our kind of people" and it is abhorrent that we would advocate the same today.

Kahlenberg speaks of "racial and economic justice" but what is that, exactly? Is it just that Blacks and Whites and Asians and Hispanics have different admissions standards? Is it just that you earn more than I do? Or that you live in a bigger house or drive a nicer car? Is it just that there are more black running backs in the NFL than Asian? Is it just that each one of us comes into this world at a different place with different abilities and disabilities, with different parents, with different incomes, living in different neighborhoods?

Do we seek redress for every historical and genetic inequity that drive, in turn, economic inequity, social inequity, political inequity, psychological inequity, physical inequity (the list is endless)? Can I be compensated because I'm short? or fat? or female? or gay? Can I get a helping hand because I'm tall, or skinny, or heterosexual? or monogamous? And if we seek to rebalance these scales of cosmic justice, to raise those who are lower and lower those that are higher, do we really want a world in which everyone is equal in every way?

Have we arrived with our passionate intensity in the middle of the Monkey House?

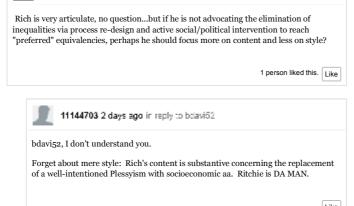
"THE YEAR WAS 2081, and everybody was finally equal. They weren't only equal before God and the law. They were equal every which way. Nobody was smarter than anybody else. Nobody was better looking than anybody else. Nobody was stronger or quicker than anybody else. All this equality was due to the 211th, 212th, and 213th Amendments to the Constitution, and to the unceasing vigilance of agents of the United States Handicapper General."

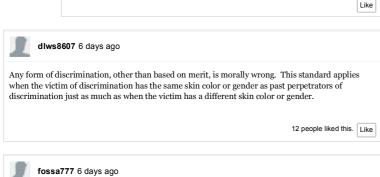
Kahlenberg, I suspect, sees himself as that Handicapper General; he and Diana Moon Glampers...both tireless in his quest for the Perfectly Equal World.

bdavi52 2 days ago in reply to 11144703

19 people liked this. Like







I would like to know at what point we all just played along and assumed that "diversity" was synonomous with "better"? Where are the facts that say that adding racial diversity to this or that profession or academic area of study makes them better or raises the bar? What does that even mean? This is like saying that we need to add more people with blond hair into the accounting profession b/c it will make it better! Seems to me that if you take merit out of the question then all you are doing is lowering the bar for education (and everything really) in this country and trashing it. Low and behold, the education system in this country has been on the decline for decades now! I want to see people in academic programs and professions that want to be there, have a genuine interest in what they are doing, and strive to show that through the merit of their studies or work, period! Not someone or a group of people who are being pigeon holed or enticed into something just b/c that area needs more diversity. The thought is asinine! Racial diversity does not trump ability, education/training and ambition in anything - does not even come close. How can we then say that by preferentially choosing people b/c of their race (while excluding others who may have more merit) we are improving anything???

15 people liked this. Like



3 people liked this. Like



waratah104 5 days ago

Fascinating post, I would encourage everyone to look at Scott Page's work on diversity in complex organizations. He does a great job of popularizing the mathematical rationale beneath the value of diversity within groups/organizations/teams etc.

Like



Jim Lou 3 days ago

If the objective is to increase diversity then what do you do when you have wealthy minorities? Are you going to accept more minorities who are wealthy or well off?

Socioeconomic status is therefore not addressed.

Like



fisherman1 3 days ago

The California public college system uses high school class standing as its sole criteria for admission to the various University of California's(13), California State Universities(27), and the community colleges(about 80 with 119 campuses). Approximately 97% of aid is given on economic status not academics. While even community colleges can become "stars" and swell in enrollment the state policy allows for "guiding "applicants to underutilized rather then overtaxed campuses.

Like



freddyjay 2 days ago

The author, and many others, mistakenly equate "affirmative action" with "racial preference." The term, however, should be used as an umbrella covering a variety of approaches aimed at achieving and maintaining diversity. (The belief underlying affirmative action programs is that integration - particularly where there's been a history of segregation - won't be achieved passively. It says it is not enough to outlaw discrimination; institutions must actively encourage minorities and women to apply for jobs, contracts, college admissions etc. and should re-evaluate selection processes and procedures to remove any unintended hindrances to access for these historically disadvantaged groups.)

I agree that some institutions and individuals have created and/or advocated narrow, ill-conceived and ultimately discriminatory mechanisms aimed at achieving diversity, but don't tar the entire concept with the "quota" or "preference" brush. If a university like UC Berkeley attempts to convince the Black students it has admitted to choose their campus over the other elite institutions that have admitted them, that is affirmative action. If a local fire department posts job openings in community centers in minority neighborhoods and not just in the fire house, that is also affirmative action. If a police department reevaluates it's height requirements in an effort to qualify more female peace officers, that, too, is affirmative action. It isn't always an admissions or hiring decision that's come down to a white male vs. an "other" representing a "preferred" category. In those instances where affirmative action does result in someone having to make such a choice, we should also recognize that one is not automatically more "qualified" than the other or assume that affirmative action insists on the elevation of the under qualified, ill-prepared or undeserving.

2 people liked this. Like

Our task - I'm sure Mr. Kahlenberg would agree - is to open doors, not close them. My fear is the shorthand definition of affirmative action as "racial preference" unfairly dismisses positive, effective, non-discriminatory programs and procedures as compensatory, remedial, quota-driven and, ultimately, un-american.



perfectratio 2 days ago

In reply -- actually, in addition -- to wepstein's comment, students from 'underrepresented' populations (including but not limited to economic, cultural, racial, language-based underrepresentations) must have adequate and continuing support services while they are in college. Support services must be available -- and readily accessibly -- for academic, mental and physical health counseling as well as socio-cultural role modeling. So many students falter in college due to their not understanding the culture and demands of higher education.

1 person liked this. Like



old nassau'67 13 hours ago

Observations:

1. "Race" appears 14 times; "diversity", 11; "African-American and Latino students"..."blacks and Hispanics" - but "Asian" is never mentioned. Neither are "American Indian or Alaskan native." Why mention these three races? (from the Journal of Blacks in Higher education) "American Indian and Alaska Native students on average

score more than 104 points higher than the average score of black students. On average, Asian American students score 227 points, or 19 percent higher, higher than African Americans." (http://www.jbhe.com/features/4...

 ${\bf 2}.$ Much space is devoted to income as a means of achieving "diversity". Unfortunately, "there is a major flaw in the thesis

that income differences explain the racial gap. Consider these three observable facts from The College Board's 2005 data on the SAT:

- Whites from families with incomes of less than \$10,000 had a mean SAT score of 993. This is 129 points higher than the national mean for all blacks.
- Whites from families with incomes below \$10,000 had a mean SAT test score that was 61 points higher than blacks whose families had incomes of between \$80,000 and \$100,000.
- Blacks from families with incomes of more than \$100,000 had a mean SAT score that was 85 points below the mean score for whites from all income levels, 139 points below the mean score of whites from families at the same income level, and 10 points below the average score of white students from families whose income was less than \$10,000." (same article)
- 3. The word "underrepresented" apparently has nothing to do with academics (SAT + GPA). Rather, this code word actually refers to demographics: colleges should admit applicants by population percentages, not by demonstrated scholastic competence.
- 4. Similarly, no applicant who has achieved academically is considered "diverse". For example, a Hasidic Jew and a devout Mormon who have 2000+ SAT's and 4+ GPAS are clones.

Like

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The Chronicle of Higher Education 1255 Twenty-Third St, N.W. Washington, D.C. 20037