

Affirmative action debate roils UC; Ahead of vote, policy's effect on Black, Latino students contested

Los Angeles Times

September 9, 2020 Wednesday

Final Edition

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Section: CALIFORNIA; Metro Desk; Part B; Pg. 1

Length: 1159 words

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Body

Two months before state voters decide whether to again allow affirmative action, debate is heating up over how the 24-year state ban on it has affected Black and Latino students at the University of California.

Richard Sander, a UCLA economist and law professor, on Tuesday sharply challenged a recent UC Berkeley study that concluded Black and Latino California students experienced lower enrollment, graduation rates and subsequent wages following passage of Proposition 209, which banned preferential treatment in public education and employment based on race, ethnicity or sex.

Sander said the study erroneously claimed that enrollment of underrepresented minorities fell by 800 students per year after the ban took effect in 1998. Their freshman enrollment did fall in 1998, Sander said, but began growing after that. Graduation rates also increased, as did attainment of degrees in science, technology, engineering and math fields, he said.

Sander called the UC Berkeley paper "worse than useless" in its current form, speaking out at a press briefing organized by opponents of Proposition 16, a proposed constitutional amendment on the Nov. 3 ballot that would repeal the affirmative action ban. He has asserted that the ban was "arguably the best thing that ever happened" to racial minorities because it pushed UC campuses to heavily invest in their academic preparation and helped raise their graduation rates.

Zachary Bleemer, the UC Berkeley study's author and research associate at the campus Center for Studies in Higher Education, said he stood by his work but declined to comment further. He did the study for the UC Office of the President.

The debate comes amid mounting activism over the repeal effort. In June, the UC Board of Regents unanimously supported a repeal of Proposition 209, amplifying the sweeping support within the university system to restore affirmative action. Then-UC President Janet Napolitano, all 10 campus chancellors and the governing bodies for faculty, undergraduate and graduate students all expressed support for the repeal effort.

Opponents of affirmative action have staged weekly rallies, arguing that merit, not "racial favoritism," should be used in college admissions.

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The regents will revisit the issue at their board meeting next week when they discuss a new UC analysis on the impact of Proposition 209 on undergraduate admissions and the hiring of faculty, staff and contractors. The analysis found that the proportion of UC spending for goods and services from minority-owned businesses has dropped from 10.2% in fiscal year 1995 to 2.79% today.

The analysis also details the myriad policy and program changes made by UC campuses to widen diversity without using race-based preferences -- primarily by enrolling more students who are low-income and the first in their families to attend college. But some of those programs depend on state funding, which has varied dramatically over the years.

The regents also will vote on a proposal that would bar campuses from using race, ethnicity or gender quotas in admissions, contracting and employment. The U.S. Supreme Court has banned the use of such quotas but has approved limited use of race in college admissions if doing so serves a "compelling governmental interest" and is narrowly tailored to further that interest.

Even if voters repeal the ban on affirmative action, UC officials say race and gender would potentially be only two of several factors that UC uses to evaluate applicants -- including grades, the rigor of high school course loads, leadership activities and economic class. Standardized test scores have been dropped as an admissions criteria for now under a recent court ruling.

Bleemer's study out of UC Berkeley focused on the impact of Proposition 209 in the first two years after it took effect, tracking more than 200,000 UC applicants between 1996 and 1999 to see whether they were admitted, where they ultimately enrolled and their academic outcomes. Bleemer also tracked the applicants' wage earnings through their early 30s.

Sander at UCLA presented data only for freshmen and transfer students, showing their enrollment steadily grew from 1999 onward.

UC data for all undergraduates, however, show a more nuanced picture.

Overall Black undergraduate student enrollment, for instance, continued to drop until 2002, when it began rising again, according to UC data. The share of UC undergraduates who are Black held at 3% until 2006 and has slowly increased to 4.1% today.

Latino enrollment numbers have continuously grown since 1998, but their share among UC undergraduates fell until 2000, according to UC data, hitting a low point of 12.3% before gradually increasing each year to 24.8% in fall 2019.

Today, Latino and white students are the UC system's most underrepresented demographic groups compared with their proportion among California high school graduates who meet UC admission requirements, according to data from UC and the California Department of Education.

Latinos, for instance, made up 44.7% of that qualified pool but about a quarter of UC undergraduates. Whites made up 27% of those eligible for UC admission but 21.4% of UC undergraduates in fall 2019. Black students were at rough parity at 4.2% of eligible students and 4.1% of UC undergraduates. Asian Americans were overrepresented, making up 19.9% of the eligible pool and 33.5% of UC students.

In a historic shift, however, Latinos surpassed Asian Americans for the first time to become the leading group of prospective freshmen admitted to UC for fall 2020 -- part of the system's largest and most diverse first-year class ever admitted, according to preliminary data.

Sander also presented data showing that graduation rates of underrepresented minorities have slowly increased.

Bleemer's study said after the affirmative action ban took effect, Black and Latino graduation rates worsened when measured against academically comparable Asian Americans and whites.

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Sander said he and other researchers cannot fully examine the veracity of Bleemer's study because it used a massive database that the UC Office of the President will not provide.

A request for the data was rejected by Pamela Brown, vice president of the UC Institutional Research & Academic Planning office because, she told Sander and other researchers in an Aug. 26 email, they contain "sensitive, personally identifiable information."

"Why is [UC], which is legally prohibited from engaging in political activity, allowing its confidential data to be used in an amateurish, inaccurate paper that has been prominently injected into a political debate, for what certainly looks [like] an attempt to influence the fate of Prop. 16 on the November ballot?" Sander asked. "It's not hard to connect the dots and see that the university is using its data as a political weapon, to be withheld from objective scholars who might report 'inconvenient truths.' "

UC did not provide a response to that criticism.

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