

ELECTION 2020; Vote yes on Proposition 16; It's past time to repeal the ban on state affirmative action programs.

Los Angeles Times

September 14, 2020 Monday

Final Edition

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Section: MAIN NEWS; Editorial Desk; Part A; Pg. 1

Length: 827 words

Body

Americans like to believe that the U.S. is a singular bastion of equality where anyone can excel if they have sufficient grit and tenacity, no matter the circumstances of their birth.

It's a nice story, but it's largely a myth. Sure, diligence can take one far in life, but starting life in a family with money, property and connections is a better indicator of future success. The odds of having those starting advantages decrease precipitously if you were born female or with brown or black skin. Social mobility even across generations is on the wane, which helps explain some of the anger and anxiety being felt across America.

The death of George Floyd and the COVID-19 pandemic's disproportionate toll on Black and Latino Americans have been a wake-up call for this country. We must act to dismantle the racism baked into our institutions, and voting yes on Proposition 16 on Nov. 3 will help.

Proposition 16, placed on the ballot by the California Legislature, would repeal Proposition 209, a ban on affirmative action programs in public institutions that voters adopted in 1996. The ban set back the state's efforts to promote diversity. Getting rid of it will allow -- but not require -- the state's public universities and government agencies to consider race and gender when admitting students, recruiting faculty and hiring staff. That's all it does, despite what the opponents may say.

Indeed, there's been a fair amount of misinformation regarding this measure, so it's worth noting upfront what Proposition 16 would not do. First, it would not institute quotas, which the U.S. Supreme Court ruled unconstitutional in 1978, long before Proposition 209 came along.

Nor would Proposition 16 mean that high-demand public universities will throw open their doors to unqualified students solely because of their race or sex. It's simply wrong for opponents to suggest otherwise.

Opponents of Proposition 16 claim that a repeal is unnecessary because the state has done a fine job of promoting diversity through race- and sex-neutral hiring and admission processes. To make their point, they note how the number of Black and Latino students in the UC system have grown since 1996 -- due in part to the system adopting a more holistic admissions approach and targeting low-income students, who tend to be nonwhite.

That approach was a smart response to Proposition 209, and the UC campuses should not abandon it if Proposition 16 passes. But Proposition 209 hasn't been a boon for diversity. Black and Latino students are still not being admitted to the UC system at a rate that adequately represents the state's diversity. The disparity among UC faculty

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is worse. In 2019, less than 3% of the faculty was Black and only about 7% were Latino. That's no big surprise, as Proposition 209 prohibited targeted outreach and hiring practices.

Though much of the debate of Proposition 16 centers on the UC system, repealing Proposition 209 isn't only or even mostly about diversity of the UC student body. The affirmative action ban also halted programs to give preference in government hiring and contracting to underrepresented groups. Businesses owned by women and underrepresented racial and ethnic groups often lack the same access to capital and connections as other firms. One study concluded that when state and local governments were forced to abandon their preferential contracting programs, it cost businesses owned by women and nonwhite people about \$1 billion a year in revenue.

The opponents see that loss of revenue as a benefit, noting that ending preferential programs saved Caltrans \$1 billion in contracting costs, according to another study. Loss or savings is a matter of perspective. And we think there's a tremendous societal benefit to supporting entrepreneurship within disadvantaged communities. Financial success is one effective way to counter systemic discrimination.

Of course, giving a leg up to underrepresented groups can't help but impact those who are overrepresented. As such, some in the Asian American community oppose a return of affirmative action, fearing that it will come at their expense. The hard truth is that when it comes to enrollment at UCLA, UC Berkeley and other elite campuses, it may do that. Or may not. The UC system has expanded its recruiting efforts to students from low-income and immigrant families, and its admissions policy balances academic accomplishments of applicants against the academic opportunities available to them. However it turns out, we believe that everyone benefits from a society in which institutions that train future leaders in business, law and the sciences are racially diverse, and we advocate a continuation of holistic admissions that take into account indicators of disadvantage.

If we want to live in a country that better reflects our national narrative of equal opportunity, we have to build it. That means using the right tools, such as affirmative action. Vote yes on Proposition 16.

Load-Date: September 14, 2020