

# If California Restores Race Discrimination: Implications for Higher Education

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Center for Equal Opportunity



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*Table of Contents*

Acknowledgments .....	ii
Executive Summary: Racial Preferences in Admissions is Not a Mere Thumb on the Scale.....	1
Will California Restore Race Discrimination?.....	3
California Schools Before Banning Race in Admissions.....	4
University of California, Berkeley, 1995 .....	4
Berkeley Enrollee Median Verbal Scores, 1995 .....	4
Berkeley Enrollee Median Math Scores, 1995.....	4
Berkeley Enrollee Median GPAs, 1995 .....	4
University of California, Irvine, 1995 .....	5
Irvine Enrollee Median Verbal Scores, 1995 .....	5
Irvine Enrollee Median Math Scores, 1995.....	5
Irvine Enrollee Median GPAs, 1995 .....	5
University of California, San Diego, 1995.....	5
San Diego Enrollee Median Verbal Scores, 1995 .....	5
San Diego Enrollee Median Math Scores, 1995 .....	6
San Diego Enrollee Median GPAs, 1995 .....	6
Race as a Factor Means Rejecting More Academically Qualified White and Asian Applicants....	8
University of Virginia, 2016.....	8
UVA Admission Rates, 2016 .....	8
UVA Admittee Median Total SAT Scores, 2016.....	8
UVA Admittee Median High School GPAs (Five-Point Scale), 2016 .....	8
UVA Odds Ratios, 2016.....	9
University of Michigan, 2005.....	9
Michigan Admission Rates, 2005.....	9
Michigan Admittee Median Total SAT Scores, 2005 .....	9
Michigan Admittee Median High School GPAs (Four-Point Scale), 2005 .....	10
Michigan Odds Ratios, 2005 .....	10
University of Wisconsin-Madison, 2008.....	11
Wisconsin Admission Rates, 2008 .....	11
Wisconsin Admittee Median SAT Scores, 2008 .....	11
Wisconsin Admittee High School Class Rank, 2008 .....	11
Wisconsin Odds Ratios, 2008.....	11
Why the enormous odds ratios at Wisconsin?.....	12
Michigan Long-Term Student Performance: 1999, 2003, and 2004.....	13
Cumulative College GPA .....	13
Honors Program.....	13
Academic Probation .....	13
Conclusion.....	14
Appendix A. CEO Studies of Undergraduate Admissions after <i>Grutter</i> .....	15
Appendix B. Michigan Students' College Performance: 1999, 2003, 2004, and 2005 .....	16

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## **Executive Summary: Racial Preferences in Admissions is Not a Mere Thumb on the Scale**

California has some of the most highly ranked universities in the country. In 2020, *U.S. News* ranked Berkeley 22<sup>nd</sup> among national universities. Irvine was ranked 36<sup>th</sup>, and San Diego, 37<sup>th</sup>. If race will again become a major factor in admissions, many public universities and colleges would be discriminating against applicants of superior qualifications to achieve their desired diversity numbers.

This review of past CEO studies looks back at three California public universities before California voters in 1996 banned race in admissions.

- Among Berkeley enrollees in 1995, there was a 150-point difference in white-black median verbal scores and a 180-point gap in median math scores. The Hispanic-white gap was 120 points for verbal and 130 points for math. Asian and white scores were roughly the same. Black and Hispanic enrollees also had lower high-school GPAs compared to whites and Asians.
- Among enrollees at Irvine, the black-white gap was 95 points in verbal and 105 points in math scores. The Hispanic-white gap was 80 points in verbal and 100 points in math. The Asian-white gap in verbal scores was 60 points, but scores were roughly the same in math. Average high school GPAs were also lower for blacks compared to Hispanics, whites, and Asians.
- At San Diego, there was an 80-point difference in verbal scores between whites and Hispanics. There was a 60-point gap between whites and blacks and between whites and Asians. The white-black gap in math scores was 100 points, while the white-Hispanic gap was 90 points. The Asian and white math medians were the same. High school grades were roughly the same for blacks, whites, and Asians. The Hispanic median was less than two-tenths of a point lower.

The review then summarizes findings from three CEO studies of undergraduate admissions at three national universities (the University of Virginia, the University of Michigan, and the University of Wisconsin). *U.S. News* ranked Michigan 25<sup>th</sup>; Virginia, 28<sup>th</sup>; and Wisconsin, 46<sup>th</sup>. Virginia, Michigan, and Wisconsin tell us what to expect if California goes back to racial preferences in admissions.

- Especially among California's most competitive universities, race will be a major factor in admissions, as it is at the University of Virginia and as it was at the University of Michigan before Michigan voters banned the use of race in admissions in 2006.
- Race will often carry more weight in admissions than preferences given to in-state residents.

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- Schools that are somewhat less competitive might place even greater weight on race to achieve their desired campus diversity, as happened at the University of Wisconsin.
- White and Asian applicants will most likely bear the admissions burden if California goes back to using race; and
- Among enrollees, blacks and Hispanics will bear the costs of mismatch. Significant disparities would emerge in college grades, honors, and being on academic probation, as was found in Michigan.

Race in California would not act as the tie-breaker when admissions committees compare two equally qualified applicants. It would again become a major factor in discriminating against some applicants while favoring other often less qualified candidates.

## **Will California Restore Race Discrimination?**

In 1978, Justice Harry Blackmun summed up the contradiction of racial preference policies. “In order to get beyond racism, we must first take account of race. There is no other way. And in order to treat some people equally, we must treat them differently.”<sup>1</sup>

California Proposition 16, on the ballot in November, seeks to override California Proposition 209 (passed in November 1996) that banned race as a factor in public university admissions, public employment, and public contracting. Proposition 16 would once again allow racial/ethnic preferences in these areas of public life.

Regarding public university admissions, our own CEO studies have found that race/ethnicity is one of the largest factors in university admissions at the more competitive public institutions of higher learning. This is true for undergraduate institutions, law schools, and medical schools.

In this report, I examine results from our past CEO studies of three California institutions before voters banned race in admissions. California has some of the most competitive national universities. In 2020, *U.S. News* ranked Berkeley 22<sup>nd</sup> nationally. Irvine was ranked 36<sup>th</sup>, and San Diego, 37<sup>th</sup>.

I then look at three other cases—the University of Virginia, the University of Michigan, and the University of Wisconsin. These comparison schools were also highly ranked by *U.S. News*. Michigan was 25<sup>th</sup>; UVA, 28<sup>th</sup>; and Wisconsin, 46<sup>th</sup>.<sup>2</sup>

These cases give us some idea as to how racial/ethnic preferences actually work in admissions and the enormous weight universities place on race. I end with an examination of the cost of preferences, in terms of racial/ethnic disparities in college grades, honors, and academic probation, using enrollee data obtained from Michigan.

Race is not merely the tie-breaker when admissions committees compare two equally qualified applicants. Those who believe such are simply wrong.

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<sup>1</sup> Harry Blackmun, *Regents of the University of California v. Bakke*, 438 U.S. 265 (1978).  
<https://cdn.loc.gov/service/ll/usrep/usrep438/usrep438265/usrep438265.pdf>.

<sup>2</sup> *U.S. News*, “2020 Best National University Rankings.” <https://www.usnews.com/best-colleges/rankings/national-universities>.

## California Schools Before Banning Race in Admissions

In our earliest CEO studies, we obtained 1995 enrollee data from three California public universities, when California's public universities and colleges were still allowed to use race/ethnicity as a factor in admissions.<sup>3</sup> From these data, we calculated statistics on entering enrollees' SAT scores and high school grades. The California data were from the "old" SAT, before the test was re-centered (adjusted upward) in 1995. Mean scores nationally for the old SAT were 428 (verbal) and 482 (math); if adjusted, the scores would be 504 (verbal) and 506 (math).<sup>4</sup> As a point of contrast, Yale students had a mean verbal score of 670 and a mean math score of 720 back then.

### University of California, Berkeley, 1995

#### Berkeley Enrollee Median Verbal Scores, 1995

- Blacks, 450
- Hispanics, 480
- Asians, 590
- Whites, 600

There was a 150-point difference in median verbal scores between whites and blacks and a 120-point difference between Hispanics and whites. The Asian-white gap was 10 points.

#### Berkeley Enrollee Median Math Scores, 1995

- Blacks, 510
- Hispanics, 560
- Asians, 710
- Whites, 690

The math score gap was even larger—180 points between whites and blacks and 130 points between whites and Hispanics. The Asian-white math gap was 20 points, favoring Asians.

#### Berkeley Enrollee Median GPAs, 1995

- Blacks, 3.42
- Hispanics, 3.75
- Asians, 4.00
- Whites, 4.00

Black and Hispanic enrollees had lower high school GPAs compared to whites and Asians. The white-black gap was roughly six-tenths of a point, while the white-Hispanic gap was a quarter of a point. Asian and white median GPAs were the same.

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<sup>3</sup> Robert Lerner and Althea K. Nagai, "Pervasive Preferences: Racial and Ethnic Discrimination in Undergraduate Admissions Across the Nation," February 22, 2001, p. 13-17. <https://www.ceousa.org/about-ceo/docs/1369-pervasive-preferences>.

<sup>4</sup> "Digest of Education Statistics, Table 132. Scholastic Assessment Test\1\ score averages for college-bound high school seniors, by sex: 1966-67 to 1997-98," <https://nces.ed.gov/programs/digest/d98/d98t132.asp>; "Yale University Scholastic Assessment Test (SAT) Scores for Freshmen Matriculants Class of 1980-Class of 2017." <https://web.archive.org/web/20140714112012/http://oir.yale.edu/node/56/attachment>.

## University of California, Irvine, 1995

### Irvine Enrollee Median Verbal Scores, 1995

- Blacks, 395
- Hispanics, 410
- Asians, 430
- Whites, 490

The gap in enrollees' median verbal scores was 95 points between blacks and whites, 80 points between whites and Hispanics, and 60 points between whites and Asians.

### Irvine Enrollee Median Math Scores, 1995

- Blacks, 475
- Hispanics, 480
- Asians, 590
- Whites, 580

The black-white math score gap was 105 points, while the Hispanic-white gap was 100 points. The Asian-white gap favored Asians by 10 points.

### Irvine Enrollee Median GPAs, 1995

- Blacks, 3.39
- Hispanics, 3.50
- Asians, 3.61
- Whites, 3.64

Median GPAs were also higher for Asians and whites compared to blacks and Hispanics. The black-white gap was the largest (a quarter of a point). The Hispanic-white difference was roughly a tenth of a point, while white and Asian medians were roughly the same.

## University of California, San Diego, 1995

### San Diego Enrollee Median Verbal Scores, 1995

- Blacks, 490
- Hispanics, 470
- Asians, 490
- Whites, 550

The largest difference in median verbal scores was between whites and Hispanic enrollees (80 points). There was a 60-point difference in median verbal scores between white and black enrollees and between whites and Asians.



San Diego Enrollee Median Math Scores, 1995

- Blacks, 540
- Hispanics, 550
- Asians, 640
- Whites, 640

The white-black gap in enrollees' median math score was 100 points, while the white-Hispanic gap was 90 points. The Asian and white medians were the same.

San Diego Enrollee Median GPAs, 1995

- Blacks, 3.88
- Hispanics, 3.76
- Asians, 3.86
- Whites, 3.92

Black, Asian, and white medians were roughly the same, while the white-Hispanic gap was less than two-tenths of a point.

**The enrollee medians at these three California schools are examples of mismatch.** In *Mismatch*, Richard Sander and Stuart Taylor show how colleges in pursuit of diversity often harm those admitted with large preferences.<sup>5</sup> They find 1) that disparities among enrollees are large; 2) that a “cascade effect” is created, starting with the most elite schools having the best access to a small number of highly capable blacks and Hispanics; 3) that disparities are larger at less competitive schools; 4) that academic and social difficulties arise from such disparities; and 5) that mismatch creates barriers to graduation and beyond. In short, students admitted because of preferences end up enrolling in schools where they start significantly behind in academic skills compared to their classmates.

Mismatch problems do not arise with those admitted with only slightly lower academic credentials. Sander and Taylor always acknowledge the presence of blacks and Hispanics with roughly the same academic credentials as their white and Asian counterparts. These are not the ones running into subsequent problems. Moreover, small deficits can be remedied shortly before attending the school, while at the school itself, or on-line.

Going back to CEO's studies of college admissions, in later years, we were able to get more data with more variables. This enabled statistical estimates of how much weight admissions committees placed on race and ethnicity, along with variables such as gender, legacy connections, in-state residency, test scores, and grades. After *Grutter v. Bollinger*,<sup>6</sup> when the Supreme Court in 2003 allowed the use of race in admissions, CEO studies included

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<sup>5</sup> Richard H. Sander and Stuart Taylor, Jr., *Mismatch: How Affirmative Action Hurts Students It's Intended to Help and Why Universities Won't Admit It* (New York: Basic Books, 2012).

<sup>6</sup> *Grutter v. Bollinger*, 539 U.S. 306 (2003).

<http://cdn.loc.gov/service/ll/usrep/usrep539/usrep539306/usrep539306.pdf>.

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undergraduate admissions at the University of Michigan, Ohio State University, Miami University of Ohio, the University of Oklahoma, the University of Wisconsin-Madison, and five public Virginia universities.<sup>7</sup>

In most of our post-*Grutter* findings, race was not a small factor that tipped the scale between equal candidates. *Race was often a large factor in admissions*, especially at the more competitive schools. And, more often than not, being Asian was a negative factor.

In the next section, I will present admissions statistics from two highly competitive public universities, comparable to Berkeley—the University of Virginia (UVA) in 2016 and the University of Michigan in 2005.<sup>8</sup> I chose to focus on these two schools, because, if the more competitive California public universities use race again, there is a good chance they will resemble these two cases.

After UVA and Michigan, I then present findings on the University of Wisconsin, which seems to cast a broader and deeper admissions net to obtain the desired race and ethnic mix for campus diversity. Statistical analysis found enormous preferences (i.e., enormous odds ratios) favoring blacks and Hispanics over white and Asian applicants at Wisconsin.<sup>9</sup> California’s public universities that are less competitive than Berkeley, Irvine, and San Diego could end up like Wisconsin, with large admittee disparities (and the largest undergraduate odds ratios in our studies).

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<sup>7</sup> See Appendix A for a list of these studies and their links.

<sup>8</sup> In the case of Michigan, the university used race as a factor until Michigan voters passed Proposal 2 in 2006 that banned the use of race in public education, hiring, promotion, and contracting.

<sup>9</sup> The yield rate is the percentage of those offered admissions who decide to enroll. The most recent yield rates were as follows: UVA, 40%; Michigan, 46%, Wisconsin 32%.

## Race as a Factor Means Rejecting More Academically Qualified White and Asian Applicants

For UVA and then for the University of Michigan, I present the admission rates, differences in average (median) test scores, differences in median grades, and the odds ratios comparing blacks, Hispanics, and Asians to whites. Odds ratios are ratios of the relative odds of Group A being admitted as compared with Group B, while statistically controlling for other variables, such as test scores, grades, gender, and residency status.<sup>10</sup>

### University of Virginia, 2016<sup>11</sup>

#### UVA Admission Rates, 2016

- Blacks, 35%
- Hispanics, 32%
- Asians, 32%
- Whites, 30%

UVA admitted black applicants at higher rates than Hispanics, whites, and Asians.

#### UVA Admittee Median Total SAT Scores, 2016

- Blacks, 1240
- Hispanics, 1350
- Asians, 1480
- Whites, 1420

Test scores were generally lower for black and Hispanic admittees compared to whites and Asians. The black-white SAT gap was 180 points, while the Hispanic-white gap was 70 points. In contrast, the Asian median test score was 60 points higher than the white median.

#### UVA Admittee Median High School GPAs (Five-Point Scale), 2016

- Blacks, 4.16
- Hispanics, 4.26
- Asians, 4.35
- Whites, 4.32

The black-white difference in admittee GPA was less than two-tenths of a point, while the Hispanic-white difference was less than a tenth of a point. The Asian and white median GPAs were the roughly same.

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<sup>10</sup> For example, logistic regression has been used to calculate the odds ratio of smokers versus non-smokers getting lung cancer, controlling for demographic variables, daily cigarette consumption, and years smoked.

<sup>11</sup> The statistics are from my study of five Virginia public universities. See Althea K. Nagai, "Preferences in Virginia Higher Education," September 10, 2019.

<https://www.ceousa.org/attachments/article/1329/Preferences%20in%20Virginia%20Higher%20Education%20-%20September%202019.pdf>

### *UVA Odds Ratios, 2016*

- Black over white, 6.75 to 1
- Hispanic over white, 2.07 to 1
- White over Asian, 1.25 to 1.<sup>12</sup>

Logistic regression analysis showed large preferences (i.e., large odds ratios<sup>13</sup>) granted to black over white applicants when controlling for other factors (6.75 to 1).<sup>14</sup> UVA also gave a moderate preference to Hispanics (2.07 to 1), while granting whites a small preference over Asians (1.25 to 1).

Moreover, the university gave more weight to race over residency. The black over white odds ratio (6.75 to 1) was greater than the odds ratio favoring Virginia residents (5.59 to 1).

While there was ample evidence of preferences awarded black applicants by the University of Virginia, there was even more evidence of race preferences at the University of Michigan. I present the admission statistics and odds ratios from 2005. I focus here on 2005 because, by 2005, the university had fully implemented the diversity requirements and holistic admissions processes as laid out in *Grutter* (which was decided in June 2003). It was also the last year before Michigan votes banned the use of race.

### University of Michigan, 2005<sup>15</sup>

#### *Michigan Admission Rates, 2005*

- Blacks, 71%
- Hispanics, 79%
- Asians, 54%
- Whites, 62%

Black and Hispanic admission rates were significantly higher than those for Asians and whites.

#### *Michigan Admittee Median Total SAT Scores, 2005*

- Blacks, 1160
- Hispanics, 1260
- Asians, 1400
- Whites, 1350

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<sup>12</sup> The Asian-white odds ratio was 0.8 to 1, the inverse of the white-Asian one.

<sup>13</sup> Large odds ratios were defined as those greater than 3.0, indicating a large degree of preference; moderate odds ratios were defined as between 1.5 and 3.0; and small odds ratios were defined as 1.5 or less.

<sup>14</sup> Controls included test scores, grades, gender, residency, and legacy.

<sup>15</sup> The statistics are from my study of the University of Michigan for 1999, 2003, 2004, and 2005. See Althea Nagai, "Racial and Ethnic Preferences in Undergraduate Admissions at the University of Michigan," October 17, 2006.

[https://www.ccoua.org/attachments/article/548/UM\\_UGRAD\\_final.pdf](https://www.ccoua.org/attachments/article/548/UM_UGRAD_final.pdf)

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There was a 190-point test score gap between blacks and whites and a 240-point gap between blacks and Asians. The white-Hispanic gap was 90 points, while the Asian-white gap was 50 points, favoring Asians.

*Michigan Admittee Median High School GPAs (Four-Point Scale), 2005*

- Blacks, 3.4
- Hispanics, 3.6
- Asians, 3.8
- Whites, 3.9

There was a grade-point gap of a half-point between whites and blacks and four-tenths of a point between Asians and blacks. The white-Hispanic gap was three-tenths of a point, while the median GPA for whites was a tenth of a point higher than that for Asians.

*Michigan Odds Ratios, 2005<sup>16</sup>*

- Black over white, 70.76 to 1
- Hispanic over white, 46.31 to 1
- White over Asian, 1.46 to 1<sup>17</sup>

Controlling for other factors, odds ratios showed Michigan awarding a great deal of preference to black over white applicants (more than 70 to 1) and to Hispanics over whites (roughly 46 to 1). Michigan also gave whites a small preference over Asians.

In contrast to giving large preferences to black and Hispanic applicants, admission decisions only slightly favored in-state residents. Controlling for race and other factors, odds ratios of in-state over out-of-state applicants was 1.05 to 1.<sup>18</sup>

My third case for comparison is the University of Wisconsin at Madison. It is not quite comparable to Michigan and UVA. Wisconsin is less competitive than the other two schools, and I used high school class rank instead of GPAs to have sufficient numbers for statistical analyses. Given that highly qualified black and Hispanic applicants are likely to go to more elite schools, Wisconsin is a good example of a school having to admitted many with significantly weaker credentials in hopes of creating sufficient diversity.

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<sup>16</sup> Controlling for test scores, grades, residency, gender, and legacy.

<sup>17</sup> The Asian to white odds ratio was 0.69 to 1, the inverse of the white-Asian odds ratio.

<sup>18</sup> In-state versus out-of-state odds ratio in 2005 was not statistically significant when controlling for test scores, grades, race, gender, and legacy.

## University of Wisconsin-Madison, 2008<sup>19</sup>

### Wisconsin Admission Rates, 2008

- Blacks, 72%
- Hispanics, 86%
- Asians, 59%
- Whites, 59%

Admission rates for blacks and Hispanics were more than ten percentage points higher than those for Asians and whites.

### Wisconsin Admittee Median SAT Scores, 2008

- Blacks, 1190
- Hispanics, 1250
- Asians, 1370
- Whites, 1340

The median combined SAT score for black admittees was roughly 60 points lower than the Hispanic median. It was 150 points lower than the median score for whites and 180 points lower than the Asian median. The median SAT score for Hispanic admittees was lower than the median for Asians and whites by roughly 100 points, while the Asian median was 30 points higher than that for whites.

### Wisconsin Admittee High School Class Rank, 2008

- Blacks, 85<sup>th</sup> percentile
- Hispanics, 87<sup>th</sup>
- Asian, 93<sup>rd</sup>
- White, 93<sup>rd</sup>

The median high school class rank of black admittees was eight points lower than the medians for Asians and whites, while the Hispanic median was 6 points lower.

### Wisconsin Odds Ratios, 2008

- Black to white, 576 to 1
- Hispanic to white, 504 to 1
- Asian to white, 1 to 1

Black and Hispanic applicants received enormous preference as expressed by odds ratios, resulting in the admittee test score and class rank disparities displayed previously. Asian applicants received no preference.

Wisconsin residents received a small degree of preference. The in-state versus out-of-state odds ratio was 2 to 1.

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<sup>19</sup> Althea K. Nagai, "Racial and Ethnic Preferences in Undergraduate Admissions at the University of Wisconsin-Madison," September 13, 2011. <http://www.ceousa.org/attachments/article/546/U.Wisc.undergrad.pdf>]

*Why the enormous odds ratios at Wisconsin?*

With the additional statistical controls in our CEO study, it is no accident that the odds ratios were enormous. In order to obtain a critical mass of blacks and Hispanics for the sake of campus diversity, and because many other private and public universities are of higher rank, the state university has to expand its pool of desired applicants to get satisfactory numbers.

This problem is one facing all public universities—losing their best black and Hispanic admittees to the elite private universities such as Harvard and Yale. These elite institutions also use race as a very large factor in admissions. At Harvard, being black was one of the largest “plus” factor in admissions, along with being a recruited athlete and being a legacy.<sup>20</sup> In contrast, being Asian was the only negative among more than 10 admission factors in Harvard’s own analysis.

As Sander and Taylor argue, large racial preferences in admissions result in universities creating varying degrees of mismatch among students, and racial preferences often end up hurting the very groups it was designed to help.

In the next section, I present subsequent performance statistics, based on Michigan’s enrollee data released to CEO. The long-term student performance data were not linked to admissions data, and no data were available for the 2005 academic year, except for whether the student was in Michigan’s honors program. Michigan also excluded individual cases that the school believed could be identified.

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<sup>20</sup> Althea Nagai, “Harvard Investigates Harvard: ‘Does the Admissions Process Disadvantage Asians?’,” August 30, 2018.

<https://www.ceousa.org/attachments/article/1237/CEO%20Study%20Harvard%20Investigates%20Harvard.pdf>

## **Michigan Long-Term Student Performance: 1999, 2003, and 2004**

I analyzed the long-term college performance of Michigan students—their cumulative college GPAs, honors, and if they were or had ever been on academic probation.<sup>21</sup> High school test scores and grades were not linked to the college enrollees in this dataset, and the university excluded individuals who might be identified. The findings are presented in as a table in Appendix B.

### Cumulative College GPA

The median cumulative GPAs for black students were lower than those for the other groups.

- In 1999, the median college GPA for blacks was 2.41—almost a full point lower than the white median (3.35) and roughly half a point lower than Hispanic and Asian medians (2.85 and 2.98, respectively).
- In 2003, the difference in median college GPAs between white and black enrollees was almost three-quarter of a point (3.34 for whites, 2.63 for blacks).
- In 2004, the cumulative GPA was roughly half a point higher for whites (3.33) compared to blacks (2.83).

### Honors Program

Proportionately fewer blacks and Hispanics were in the honors program compared to whites and Asians.

- In 1999, 1% of blacks and no Hispanics were in the program, compared to 11% of Asians and 7% of whites.
- In 2003, 1% of blacks and 5% of Hispanics were in honors, compared to 17% of Asians and 10% of whites.
- In 2004, 4% of blacks were in the honors program, as were 5% of Hispanics, 15% of Asians, and 8% of whites.

### Academic Probation

A significantly larger percentage of blacks and Hispanics were or had been on academic probation compared to whites and Asians.

- In 1999, 46% of blacks and 43% of Hispanics were or had been on probation, compared to 33% of Asians and 13% of whites.
- In 2003, 45% of blacks and 33% Hispanics had been on academic probation, as were 21% of Asians and 8% of whites.
- In 2004, 28% of blacks and 23% of Hispanics, compared to 8% of Asians and 5% of whites, were or had been on academic probation.

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<sup>21</sup> High school test scores and grades were not linked to students in this dataset, and the university excluded individuals who might be identified. Data for 2005 were incomplete.



Asian students at Michigan had a mixed record compared to whites.

- In 1999, the Asian median college GPA was lower—2.98 compared to 3.35 for whites. While 11% of Asian enrollees were in honors compared to 7% of whites, three times as many were or had been on probation versus 13% of whites.
- The pattern was the same in 2003 and 2004. The Asian median college GPA in 2003 was 3.09, versus a 3.34 median for whites. 17% of Asian enrollees were in the honors program, as were 10% of whites, but 21% of Asians were on probation versus 8% of whites.
- In 2004, the Asian college GPAs was slightly lower (3.26 versus 3.33) and proportionately more Asians were in honors (15% versus 8% of whites. But proportionately more Asians were also on academic probation (8% of Asians, 5% of whites).

What can we conclude from this data? Based on the 2005 data on admissions, using race in admissions created a situation where blacks and Hispanics who enrolled in Michigan started with significantly weaker academic skills, as measured by lower test scores and high school GPAs.

In this set of Michigan student data on college performance, black and Hispanic students had lower college grades, were less likely to be in honors, and were more likely to be on academic probation than whites and Asians.

## **Conclusion**

In 2020, *U.S. News* ranked Berkeley 22<sup>nd</sup> nationally. Michigan was 25<sup>th</sup>; UVA, 28<sup>th</sup>; Irvine, 36<sup>th</sup>; and San Diego, 37<sup>th</sup>. Wisconsin was ranked 46<sup>th</sup>. Given their rankings, if California voters pass Proposition 16,

- Race will again become a major factor, discriminating against candidates of better qualifications to achieve the desired racial numbers.
- Race will likely carry more weight than preferences granted to in-state applicants.
- Schools somewhat less competitive than Berkeley, San Diego, and Irvine would place even greater weight on race to achieve their desired campus diversity, much like Wisconsin was doing in 2011.
- White and Asian applicants will be most likely to bear the admissions cost of diversity; and
- Blacks and Hispanics will bear the costs of mismatch.

Proposition 16 involves taking account of race once again—in order to treat some people equally, California will treat them differently. This is the future of California admissions in higher education.

## **Appendix A. CEO Studies of Undergraduate Admissions after *Grutter***

### Michigan

Althea K. Nagai, “Racial and Ethnic Preferences in Undergraduate Admissions at the University of Michigan,” October 17, 2006.

[https://www.ceousa.org/attachments/article/548/UM\\_UGRAD\\_final.pdf](https://www.ceousa.org/attachments/article/548/UM_UGRAD_final.pdf)

### Ohio

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## **Appendix B. Michigan Students' College Performance: 1999, 2003, 2004, and 2005**

Table. Michigan Enrollees' Subsequent Performance

		Median Cum GPA	In Honors	On Probation
1999	Black	2.41	1%	46%
	Hispanic	2.85	0%	43%
	Asian	2.98	11%	33%
	White	3.35	7%	13%
2003	Black	2.63	1%	45%
	Hispanic	2.80	5%	33%
	Asian	3.09	17%	21%
	White	3.34	10%	8%
2004	Black	2.82	4%	28%
	Hispanic	2.99	5%	23%
	Asian	3.26	15%	8%
	White	3.33	8%	5%
2005	Black	*	3%	*
	Hispanic	*	6%	*
	Asian	*	18%	*
	White	*	9%	*

Source: Althea K. Nagai, "Racial and Ethnic Preferences in Undergraduate Admissions at the University of Michigan," October 17, 2006.

[https://www.ceousa.org/attachments/article/548/UM\\_UGRAD\\_final.pdf](https://www.ceousa.org/attachments/article/548/UM_UGRAD_final.pdf)



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Linda Chavez, Chairman