

# CENTER FOR EQUAL OPPORTUNITY

The Fight Against Racial  
Preferences in Higher Education

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## Timeline: *1995 to Present*

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How a small nonprofit helped end  
affirmative discrimination in college  
admissions

By Rudy Gersten  
Executive Director



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The milestone Harvard and North Carolina Supreme Court cases have officially made illegal and unconstitutional the use of race in college admissions. The Center for Equal Opportunity (CEO) played a major role in this battle, as it has done for over a quarter century in the fight for colorblind equal opportunity. Since its founding, CEO has promoted merit-based, race-neutral public policy. Our efforts in just the area of higher education have included:

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- 1) **CONDUCTING** major studies, surveys, and policy briefs exposing how colleges and universities use race and ethnicity to determine which students are admitted
- 2) **SUPPORTING** statewide initiatives to ban racial preferences
- 3) **FILING** amicus briefs in cases challenging the practice
- 4) **PREPARING** counsel in cases and providing some of the legal theories used
- 5) **GIVING** expert testimony before local, state, and federal executive and legislative bodies
- 6) **COORDINATING AND LEADING** efforts with like-minded organizations
- 7) **DEBATING** the issue on campuses across the country and before civic groups
- 8) **ARTICULATING** our message in op-eds placed in major newspapers and magazines
- 9) **REGULARLY PROVIDING** interviews on TV, radio, podcasts, in print media and online
- 10) **PLAYING THE VITAL ROLE** of watchdog while monitoring, exposing, and challenging racial preferences whenever we encounter such discrimination

In all, CEO is responsible for shutting down at least 70 racially exclusive programs at colleges and universities, has conducted studies of racial preferences at more than 80 schools across the country, and filed amicus briefs in every major case on affirmative action in higher education since its founding. Here is a timeline highlighting some of CEO's work in ending preferences in higher education...



Linda Chavez testifies before the U.S. Senate on affirmative action, 1995

# 1995

UNIVERSITY OF CALIFORNIA BOARD OF REGENTS VOTE TO END THE USE OF RACE, COLOR, ETHNICITY, AND GENDER IN ADMISSIONS BEGINNING IN ACADEMIC YEAR 1997 FOR GRADUATE AND 1998 FOR UNDERGRADUATE SCHOOLS.



- Linda Chavez, former director of the U.S. Commission on Civil Rights and White House Director of Public Liaison [appointed](#) by President Ronald Reagan, founds the [Center for Equal Opportunity](#) in Washington, D.C. The nonpartisan civil rights organization's mission is to study issues of race and promote race-neutral public policy.
- CEO sponsors 11 public events, including a Capitol Hill briefing and National Press Club [debate](#) on the pros and cons of class-based affirmative action.
- CEO policy analyst Jorge Amselle [addresses](#) the National Association of Latino Elected Officials on the subject of why

affirmative action is bad public policy.

- Chavez [testifies](#) before the House Economic and Educational Opportunities Subcommittee in its review of affirmative action programs.
- Chavez debates [Jesse Jackson](#) and former speaker of the California Assembly [Willie Brown](#) on affirmative action policy and appears on ABC, CNN, [PBS](#) and C-Span.
- CEO testifies before the Senate Judiciary Committee on affirmative action before the Constitution, Federalism, and Property Rights Subcommittee.



# 1996

## PROPOSITION 209 PUT BEFORE CALIFORNIA VOTERS TO FORBID PREFERENCES BASED ON RACE, COLOR, NATIONAL ORIGIN AND GENDER IN PUBLIC EDUCATION, EMPLOYMENT AND CONTRACTING IN THE STATE.

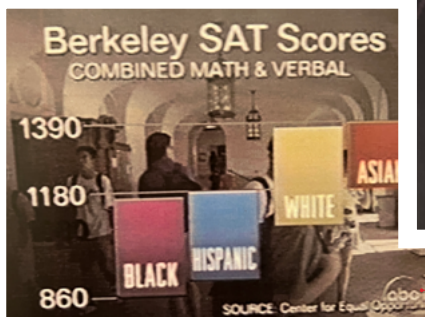
- CEO publishes “[Racial Preferences at U.C. Berkeley](#)” and “[Racial Preferences at U.C. Irvine](#)” the first of dozens of in-depth studies authored by Althea Nagai, Ph.D. and Robert Lerner, Ph.D., examining the use of race in college admissions. The reports demonstrate little difference in SAT scores and high school GPA between whites and Asian American enrollees. In contrast, the gaps in prior academic performance between whites and Asian Americans compared to African Americans are massive. The disparity in grades and SATs between whites and Asian American enrollees compared to Hispanics enrollees is smaller but still substantial. CEO releases the report at a press conference in California, places op-eds in local and national newspapers, and the study gains widespread media attention.
- Chavez campaigns for Proposition 209 in California, joining Ward Connerly as well as Thomas Wood and Glynn Custard, the co-sponsors of the initiative, at events around the state.
- Despite a massive coalition of civil rights groups, politicians, and celebrities standing in opposition, and a better-funded campaign by proponents of preferences, California voters pass Prop 209, 55 percent to 45 percent.
- The 5th Circuit Court of Appeals rules in *Hopwood v. Texas* that the University of Texas Law School improperly used racial and ethnic preferences in admission. As a result of the case, Texas drops preferences in admission and adopts a policy of guaranteeing admission to the University of Texas to any student who graduated from a Texas high school in the top 10 percent of his or her class.



Linda Chavez speaking at U.S. Department of Education



Michael Steele of the MD Republican Party addresses CEO conference on race at the National Press Club



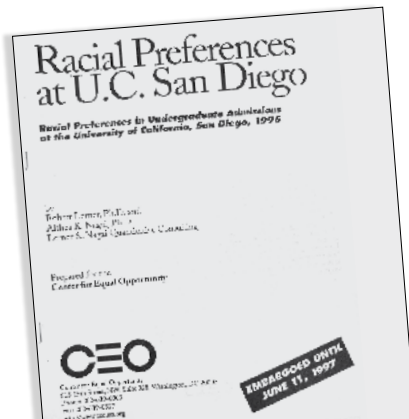
CEO's U.C. Berkeley study, as seen on Nightline



# 1997



CEO's Roger Clegg speaks at forum on affirmative action



CEO president Linda Chavez (center) addresses press after White House meeting on civil rights

Linda Chavez gives CEO study to President Bill Clinton at White House meeting, Dec. 19, 1997



THE SUPREME COURT DECLINES TO HEAR AN APPEAL OF THE *HOPWOOD* DECISION AND THE MOVE TO EXPAND STATEWIDE INITIATIVES TO BAN PREFERENCES PICKS UP STEAM.

- Roger Clegg joins CEO as general counsel. The former Deputy Assistant Attorney General in the Reagan and Bush administrations would later become president of the organization. His work focuses on legal issues arising from civil rights laws, including the problems in higher education created by affirmative action. He is quoted frequently in news stories on preferences in higher education and other CEO issues, including [dozens](#) of appearances on national TV, and his writing has regularly appeared in [National Review Online](#), [Legal Times](#), law journal articles, as well as op-eds in [The Wall Street Journal](#) and elsewhere.
- CEO submits Freedom of Information Act Requests for data on college admission in several states.
- CEO creates the Civil Rights Working Group which later is co-sponsored by the Heritage Foundation. Clegg takes leadership role with the CRWG and Heritage Foundation's Legal Strategy Forum.
- CEO publishes study "[Racial Preferences at U.C. San Diego.](#)" The findings provide strong, clear evidence of racial preferences in undergraduate admissions at UCSD.
- CEO publishes "[Racial Preferences in Colorado Higher Education.](#)" the most rigorous and detailed critique ever written of how racial preferences actually operate. The study documents the use of racial preferences in admissions at all 12 public colleges and universities in Colorado. Among the findings: white students enrolled at the University of Colorado scored 205 points higher on the SAT than the average black student admitted; Colorado's use of racial preferences depresses black graduation rates; six years after enrolling, less than one-third of all blacks and Hispanics earn their diplomas, as opposed to a majority of Asians and whites earning theirs. The study concludes that were Colorado's most elite schools to begin using race-neutral admissions, black and Hispanic admissions statewide would not drop off sharply. CEO's study receives significant media attention including editorials in the [Denver Post](#) and [Rocky Mountain News](#).
- Chavez [meets with President Bill Clinton in the Oval Office](#) to discuss his promise to mend affirmative action programs.

Kavanaugh teamed with conservative lawyer Robert H. Bork and the Center for Equal Opportunity, a conservative think tank, in arguing that it was unconstitutional

# 1998

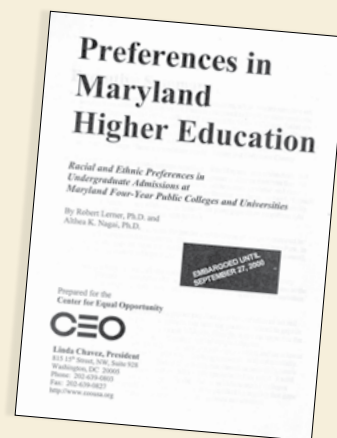
WASHINGTON STATE BALLOT INITIATIVE 200, MODELED ON PROP 209, IS PUT ON THE BALLOT AND ADOPTED BY VOTERS WITH 58 PERCENT IN FAVOR.

- CEO publishes [study](#) of preferences at eight public colleges and universities in Michigan. CEO chairman Linda Chavez addresses the Economic Club of Detroit to release the findings.
- CEO president Linda Chavez and general counsel Roger Clegg publish [op-eds](#) critical of affirmative action and in support of Initiative 200 in Washington.
- CEO releases [study](#) of preferences at six public colleges and universities in North Carolina.
- CEO issues [study](#) of racial preferences at two U.S. military academies, which showed an academic qualifications gap between blacks and whites, but a small or no gap between whites and Hispanics and between whites and Asians.
- In Wisconsin, CEO files FOIA requests for the university's admissions data and is turned down by the state. CEO files suit to obtain the data in a case that is ultimately decided by the Supreme Court of Wisconsin.
- Three Reviews of "The Shape of the River: Long Term Consequences of Considering Race in College and University Admissions" is released by CEO. The policy brief is the first to subject the book's claims and methodology—hailed by the *New York Times* as a striking confirmation of the success of Affirmative Action—to a serious, critical examination.
- The *New York Times* [profiles](#) CEO president Linda Chavez and notes her work opposing racial preferences.

CEO CONTINUES TO FILE FOIA REQUESTS IN SEVERAL STATES TO MONITOR THE EFFECT OF EFFORTS TO BAN RACIAL PREFERENCES.

# 1999-2000

- CEO publishes [study](#) of admissions at ten public Virginia colleges and universities, finding the most pervasive preferences at the University of Virginia and College of William and Mary.
- CEO publishes [study](#) of preferences at all ten 4-year public colleges and universities in Maryland, establishing that race and ethnicity played a significant role in admission for black students and a somewhat lesser role for Hispanic students at the state's most competitive schools, namely the University of Maryland and St. Mary's University.
- Florida bans racial preferences in higher education, adopting a plan to guarantee admission to state schools for the top 20 percent of graduating high school students.



What's really intriguing is that Chavez's "disciples" now occupy strategic positions throughout Washington: Former CEO staffer Jerry Reynolds will soon be nominated director of the Office of Civil Rights at the Department of Education, the second most important civil-rights post in the government; former CEO fellow Daniel W. Sutherland, a senior Justice Department trial lawyer, now works at the White House on the U.S. Task Force Against Racism and will be part of the U.S. delegation to the World Conference Against Racism in Durban, South Africa, from Aug. 31 through Sept. 7; former CEO staffer John Miller is a national political reporter for National Review; and CEO friend and ally Brian Jones—who as president of the Center for New Black Leadership shared offices with CEO—will soon become the General Counsel of the Department of Education."

# 2001-2002



Rudy Gersten and Linda Chavez meet with the House Majority Leader

CEO EXPANDS ITS STUDIES OF RACIAL AND ETHNIC PREFERENCES IN ADMISSIONS TO PUBLIC LAW AND MEDICAL SCHOOLS. FIRST MICHIGAN CASE ALLEGING RACIAL PREFERENCES IN ADMISSIONS MAKES ITS WAY THROUGH THE COURTS.

- CEO files amicus brief in *Gratz v. Bollinger* challenging undergraduate admissions at the University of Michigan that gave additional points for racial minority status to black students, and challenging law school preferences that adopted a "holistic" approach favoring minority admissions.
- CEO issues compendium of previous studies, "Pervasive Preferences: Racial and Ethnic Discrimination Across the Nation."
- CEO issues study of preferences at five medical schools, showing large preferences at Michigan State and University of Oklahoma Medical Schools and less preferences at SUNY Brooklyn, Medical College of Georgia, and University of Washington.
- CEO publishes study of admissions preferences at University of Maryland School of Medicine showing the school generally admits black applicants with much lower test

scores and science GPAs as compared with whites, Hispanics, and Asians. The relative odds of admission of a black applicant over a white applicant were 61.5 to 1 in 1996, 35.9 to 1 in 1997, 40.7 to 1 in 1998, and 20.6 to 1 in 1999. The odds ratios translate into massive preferences favoring blacks over other groups. For example, in 1996, the probability of admission for a black applicant with a total MCAT score of 45 and a science GPA of 3.5 was 97 percent—roughly three times the probability of a similarly qualified white, Asian, or Hispanic. CEO holds press conference to release the study and its findings at the Enoch Pratt Free Library in Baltimore.

- CEO releases "Racial and Ethnic Preferences at Three Virginia Law Schools," finding that both the University of Virginia and William and Mary granted substantial preference to black applicants, while George Mason law school gave less preference to black applicants over others and none to Hispanics.

- CEO releases critique of Patricia Gurin's expert report defending the University of Michigan's practices in *Gratz v. Bollinger*.
- CEO wins case before the Wisconsin Supreme Court, forcing the state to release data on student admissions critical to CEO's studies on racial preferences.
- Rudy Gersten joins CEO as director of operations. The University of Maryland graduate and Washington, D.C. native would later become executive director. Gersten helps obtain admissions data from schools via FOIA requests, coordinates the release of CEO studies, and has been published in the *Washington Post*, *National Review Online*, *Townhall.com* and elsewhere.

THE DIAMONDBACK | OPINION | MONDAY, DECEMBER 16, 2002

Affirmative action proves counterproductive at the university

RUDY GERSTEN  
UNIVERSITY GRADUATE

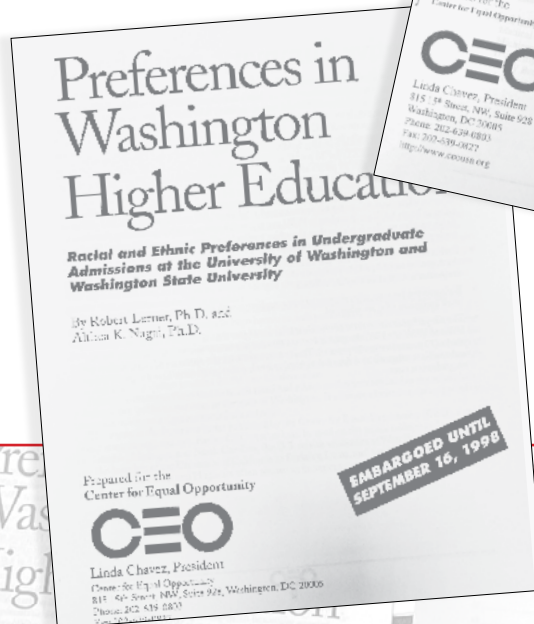
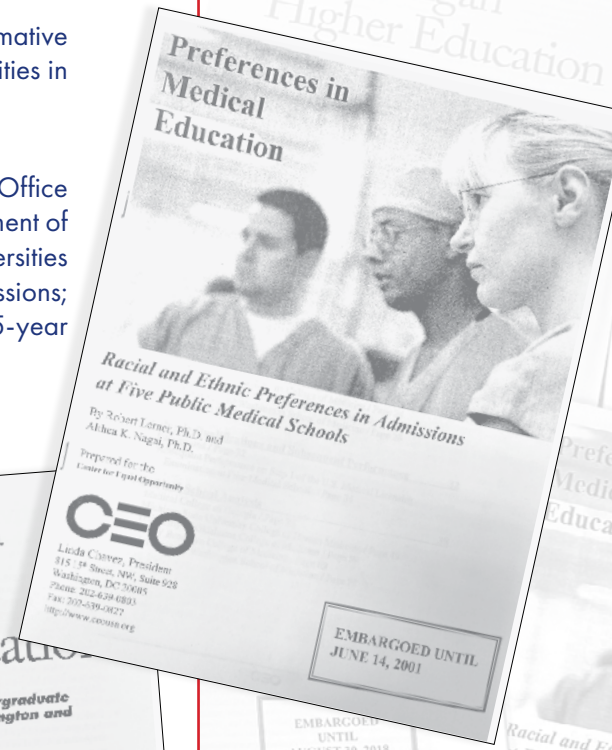


# 2003-2004

THE SUPREME COURT HANDS DOWN SPLIT DECISION IN THE MICHIGAN CASES, PERMITTING THE LAW SCHOOL TO CONTINUE TO USE RACE AS ONE FACTOR IN ADMISSIONS, WHILE STRIKING DOWN THE UNDERGRADUATE PROGRAM THAT ASSIGNED EXTRA POINTS TO MINORITY APPLICANTS. JUSTICE SANDRA DAY O'CONNOR, WHO PROVIDED THE FIFTH VOTE ON THE COURT IN GRUTTER, FAMOUSLY WROTE: "WE EXPECT THAT 25 YEARS FROM NOW, THE USE OF RACIAL PREFERENCES WILL NO LONGER BE NECESSARY."

- CEO successfully ends racially exclusive programs at Princeton and MIT.
- CEO warns 20 other elite schools of the illegality of their racially exclusive programs, and shows a willingness to file a federal complaint if the schools balk.
- In the aftermath of the Michigan cases, the first Supreme Court case since Bakke to strike down consideration of race in higher education, CEO staff debate the issue around the country. CEO general counsel Roger Clegg debates affirmative action in admissions at Yale, where he graduated law school in 1981, while CEO president Linda Chavez weighs in at The Chronicle of Higher Education.

- CEO releases study on affirmative action at three public universities in Virginia.
- CEO files complaints with the Office for Civil Rights at the Department of Education against four universities for using race in admissions; the complaints result in a 15-year investigation by OCR.







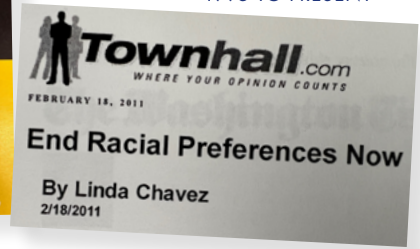
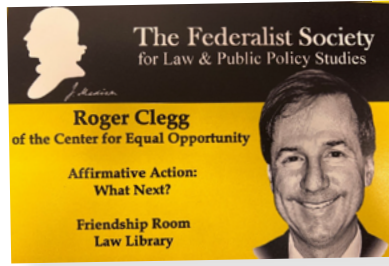
# 2005-2010

CEO CONTINUES TO OPPOSE RACIAL PREFERENCES IN HIGHER EDUCATION BY CONDUCTING ADDITIONAL STUDIES OF THE PRACTICE NATIONWIDE AND WORKING WITH STATE EFFORTS TO BAN THE PRACTICE AS BOTH CALIFORNIA AND WASHINGTON DID BY POPULAR REFERENDA.

- CEO files [complaints](#) with the Office for Civil Rights of the Department of Education alleging preferential admissions programs violate civil rights laws.
- CEO President and General Counsel Roger Clegg sends letters to more than 100 colleges and universities warning that racially or ethnically exclusive scholarship programs are illegal. CEO's efforts shut down 70 such programs nationwide, as noted in "[Disappearing Without a Case—The Constitutionality Of Race-Conscious Scholarships In Higher Education](#)" in the Washington University in St. Louis Law Review.
- Proposal 2, a referendum banning consideration of race in public higher education contracting and employment, is put on the ballot in Michigan.
- During the public debate over Proposal 2, CEO issues an updated study of preferences in [undergraduate](#) admission at [University of Michigan](#), as well as in the university's [law school](#) and [medical school](#).
- CEO's role in the debate over Proposal 2 garners heavy [media attention](#).
- Michigan voters ban racial preferences in the state, with 58 percent of the vote.
- CEO analyzes undergraduate and medical school admissions at the University of Arizona.
- CEO releases two [studies](#) of racial preferences at Arizona public law schools showing evidence of severe discrimination in law school admissions at the University of Arizona and Arizona State University. At both law schools, an extraordinarily large degree of preference was awarded to black and Hispanic applicants over whites and Asians with the same credentials and background.
- Arizona voters overwhelmingly pass [Proposition 107](#), a ban on preferential admission in higher education, with nearly 60 percent of the vote.
- CEO publishes [study](#) on racial preferences at the University of Nebraska College of Law showing very large degree of preferences for black and Hispanic students. The odds ratios favoring black over white applicants with the same background and academic credentials were an astounding 442-1.
- Nebraska voters [ban preferences](#) in higher education through a statewide initiative, which garnered 58 percent of the popular vote.
- CEO president Linda Chavez is the [co-sponsor of Amendment 46](#) in Colorado, which would ban racial preferences in higher education. The measure failed narrowly on a ballot crowded with over a dozen initiatives.

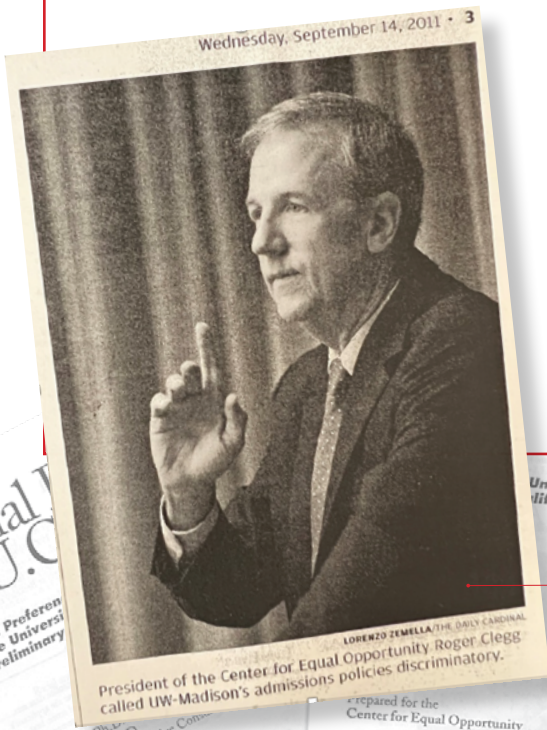


# 2011-2015

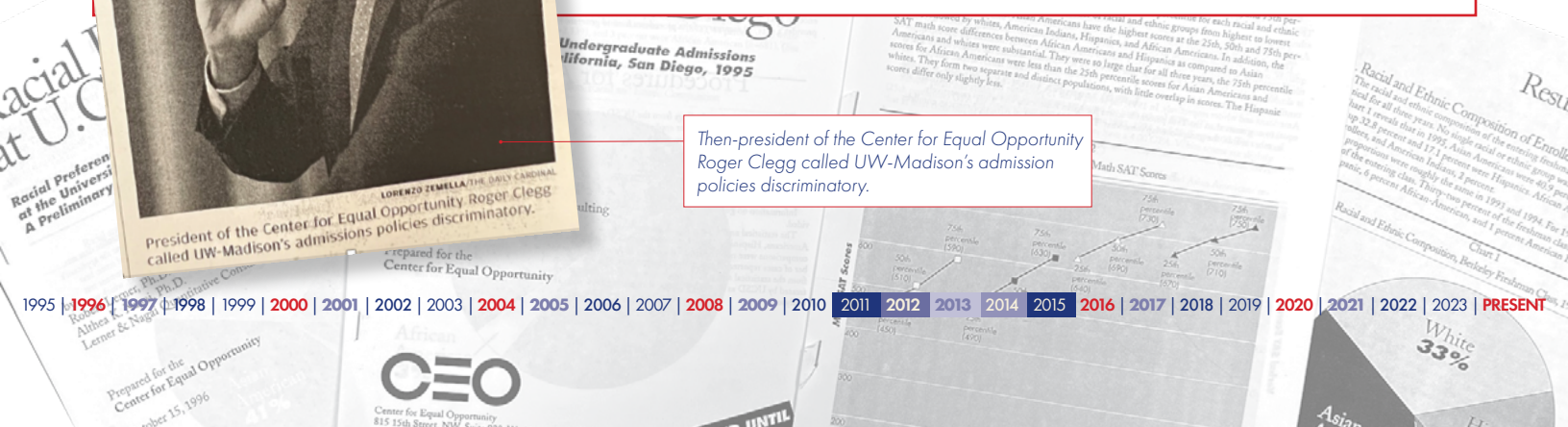


THE U.S. SUPREME COURT TWICE HEARS A CASE AGAINST RACIAL PREFERENCES IN HIGHER EDUCATION, *FISHER V. TEXAS*, WITHOUT RESOLVING THE ISSUE. CEO FILES BRIEFS IN SUPPORT OF THE PLAINTIFF AND PUBLISHES MORE STUDIES OF PREFERENTIAL ADMISSIONS AS THREE MORE STATES BAN THE PRACTICE THROUGH POPULAR REFERENDA. MEANWHILE, CEO EARNS MAJOR VICTORY IN ANOTHER SUPREME COURT CASE, *SCHUETTE V. BAMN*, UPHOLDING THE CONSTITUTIONALITY OF MICHIGAN'S STATE BAN ON PREFERENCES.

- Abigail Fisher sues Texas, which had reinstated the use of racial preferences after the Grutter decision. CEO files brief supporting her suit, arguing that Texas' plan violated the strict scrutiny standard required by the 14th amendment.
- The Supreme Court remands the Fisher case back to the 5th Circuit to address whether the Texas plan holds up under the strict scrutiny standard.
- 5th Circuit upholds Texas affirmative action plan and Fisher appeals to Supreme Court. CEO files [amicus brief](#).
- CEO issues [study](#) of racial preferences in two Ohio public colleges, showing the probability of admission for out of state black students with the lowest quartile test scores was nearly 80 percent compared with 12 percent for white students in that category.
- In *Schuetz v. BAMN*, the full U.S. Court of Appeals for the 6th Circuit holds that Michigan's Proposal 2 violates the U.S. Constitution's Equal Protection Clause. CEO had helped get Proposal 2 passed by releasing studies that documented how heavily racial and ethnic preferences were being used at Michigan public universities.
- CEO joins and helps write numerous briefs — twice in the lower courts, then urging the Supreme Court to take the case, which it does, and finally on the merits. CEO helps coordinate other amicus briefs filed, provides comments on the state's brief, and CEO president Roger Clegg participates in moot court the week before oral argument, preparing Michigan's solicitor general for the case.
- Supreme Court upholds in *Schuetz v. BAMN* the constitutionality of the ballot initiative passed in 2006 by voters in Michigan to ban, among other kinds of affirmative action, the use of racial and ethnic admission preferences at its public universities. The decision is a major victory for CEO and supporters of race-neutral admissions policies. CEO informs other states how they can follow suit.



Then-president of the Center for Equal Opportunity Roger Clegg called UW-Madison's admission policies discriminatory.



- CEO releases [study](#) of racial preferences at the University of Oklahoma in undergraduate, medical school, and law school admissions. The study concludes that race and ethnicity are weighed in admissions at all three institutions. This is especially true at the law school, where black applicants are given heavy preferences and Native Americans are given more modest preferences. Evidence of this preferential treatment is found in gaps in LSAT scores and undergraduate grades among those admitted, and—more precisely—by calculating the odds ratios and probabilities of admission across racial and ethnic groups. There is also evidence of preferential treatment for black applicants in undergraduate admissions, and for preferential treatment of “underrepresented minorities” (that is, African American, American Indian, and Hispanic students) in medical school admissions.
- Oklahoma voters ban affirmative action programs in the state with [Question 759](#). The legislatively referred constitutional amendment prohibiting special treatment based on race or sex in public employment, education and contracts is approved with 59% of the vote.
- CEO issues long-delayed study of [preferential admissions](#) at the University of Wisconsin Madison, which was possible only because CEO successfully sued the university to obtain the data. The odds ratio favoring black applicants and Hispanics over whites was 576 to 1 and 504 to 1, respectively, using the SAT and class rank while controlling other factors. The findings showed the most severe undergraduate admissions discrimination that CEO has ever found in the dozens of studies it has published. The studies show that hundreds of students applying as undergrads or to the law school are rejected in favor of students with lower test scores and grades, and the reason is that they have the wrong skin color or their parents came from the wrong countries.
- CEO publishes [study](#) of race preferences in admissions at University of Wisconsin Law School.
- Protests by students erupt at the University of Wisconsin [disrupting the press conference](#) for the release of CEO’s studies, sparking [controversy](#) over whether the university’s diversity chief sparked the near riot.
- CEO studies and the uproar in Wisconsin are the top story on the [O’Reilly Factor](#) on Fox News, and among [several other](#) major media outlets. State legislators promise review of University of Wisconsin admission policy in light of CEO findings.
- CEO [testifies](#) on UW-Madison study in front of Wisconsin legislature before the Assembly Committee on Colleges and Universities.
- CEO president Roger Clegg [testifies](#) before the U.S. Commission on Civil Rights on minority access to higher education.
- CEO issues study of racial preferences at [University of Utah Law School](#).

## Student turnout high at protests

Press conference buckles under capacity issues; 750 attend debate

Katherine Krueger  
Deputy News Editor

Students chanting “power to the people” and touting homemade signs giving a snapshot of their personal history began congregating outside the DoubleTree Hotel to protest an 11 a.m. press conference Tuesday where the results of the study were presented by D-

entering, citing capacity concerns. Outside the building students addressed the assembled crowd on racial disparity presented in the documents and urged supporters to resist when speakers characterized

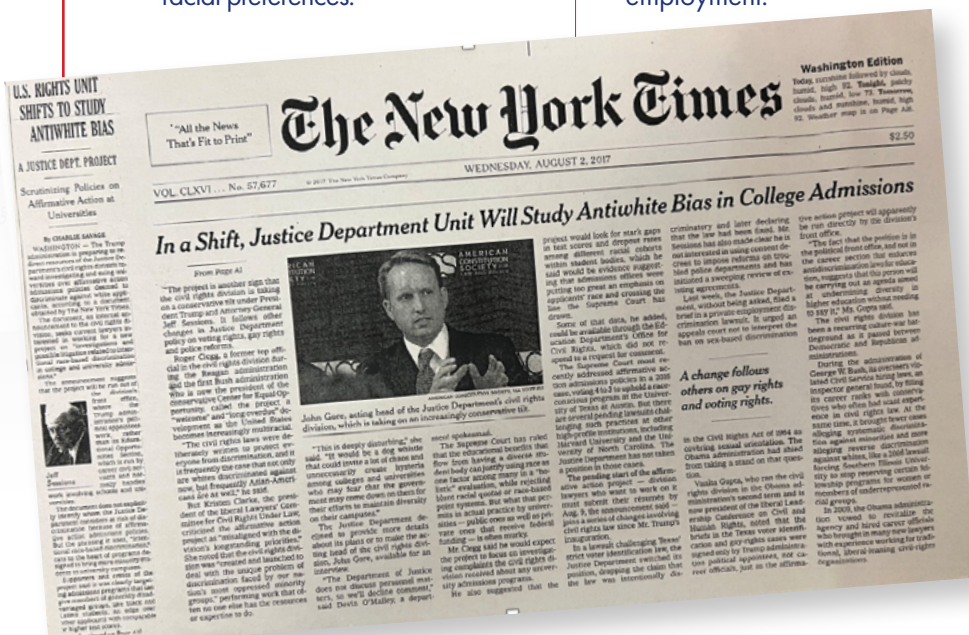
THE WALL STREET JOURNAL  
WSJ.com  
SEPTEMBER 14, 2011, 2:54 PM ET  
Study Claims Wisconsin Against Whites  
We'll stay in Wisconsin for another news item, the University of Wisconsin Law School has discriminated. The claim follows a study of admissions data by the opportunity, a conservative group based in Virginia school admitted a much higher proportion of blacks and Asians. (Here's a link to the study.)

Here's an article about the study from the National study comes out at a time when affirmative action is being asked the U.S. Supreme Court to weigh in on the University of Texas law school's race-conscious admissions here for a Law Blog post about a case challenging Texas

# 2016-2020

FISHER CASE ENDS UP BACK AT THE SUPREME COURT WHILE NEW CASES OPPOSING RACIAL PREFERENCES AT HARVARD AND THE UNIVERSITY OF NORTH CAROLINA WORK THEIR WAY THROUGH FEDERAL COURT. CEO EXAMINES THE EFFECTS OF RACIAL PREFERENCES FOR BLACKS AND HISPANICS ON THE PROSPECT FOR ADMISSION FOR ASIAN STUDENTS IN A SERIES OF NEW STUDIES. CALIFORNIA TRIES TO ROLL BACK THE BAN ON RACIAL PREFERENCES.

- The U.S. Supreme Court narrowly upholds the use of racial preferences in college admissions in a 4-3 decision.
- CEO issues a report on Harvard University's efforts to limit access to Asian American students.
- CEO's complaint against preferences in medical school admissions at Texas Tech is resolved 15 years after filing when the university signs a resolution with the Department of Education agreeing to abandon racial preferences.
- CEO files amicus brief supporting plaintiffs in the Harvard case.
- CEO issues updated study on racial preferences at the University of Virginia, showing that the university's policies limit access to Asian American students as well as whites.
- California legislature place initiative on the ballot, Proposal 16, trying to repeal the state's ban on racial preferences in state higher education, contracting and employment.
- CEO issues study showing the effect repealing preferences would have on higher education.
- Voters in California resoundingly reject Proposal 16, including large numbers of Asians, blacks and Hispanics. The proposal would have repealed the ban on racial preferences in state higher education, contracting and employment that was originally adopted by voters in 1996.
- CEO files briefs in the milestone affirmative action cases just decided by the United States Supreme Court, *Students for Fair Admissions (SFFA) v. Harvard* and *SFFA v. UNC*. CEO coordinated efforts with allies and appealed to the Court in media appearances and op-eds. In conjunction with the Pacific Legal Foundation and using data from several CEO studies of affirmative action in college admissions, CEO argued the harms caused by race-conscious admissions provide a special justification for overturning *Grutter* and banning race preferences.



# 2021-present



CEO's Devon Westhill featured in NBC News story on Harvard/UNC cases

## CEO CONTINUES TO OPPOSE RACIAL PREFERENCES IN HIGHER EDUCATION BY CONDUCTING ADDITIONAL STUDIES OF THE PRACTICE AND FOCUSING PUBLIC EFFORTS ON SUPREME COURT CASES.

- Devon Westhill joins CEO as president and general counsel. Westhill was the top civil rights official at USDA, a former criminal trial lawyer with degrees from UNC at Chapel Hill and University of Florida, former official at U.S. Department of Labor, and the Federalist Society.
- CEO releases study examining mismatch effects caused by race preferential treatment to further diversity on college campuses: "[Campus Diversity and Student Discontent: The Costs of Race and Ethnic Preferences in College Admissions.](#)"
- CEO files both [certiorari](#) and [merits-stage](#) briefs in the milestone affirmative action cases decided by the United States Supreme Court and *Students for Fair Admissions (SFFA) v. Harvard and SFFA v. UNC*. CEO coordinated efforts with allies and appealed to the Court in media appearances and op-eds. In conjunction with the Pacific Legal Foundation and using data from several

CEO studies of affirmative action in college admissions, CEO argued the harms caused by race-conscious admissions provide a special justification for overturning *Grutter* and banning race preferences.

- CEO president and general counsel Devon Westhill files [additional merits brief](#) in his capacity as a former federal civil rights official alongside the American Center for Law and Justice opposing race preferences in admissions.
- CEO senior research fellow Althea Nagai conducts analysis of public opinion data showing widespread opposition to affirmative action: "[What Should Matter in College Admissions: A Comparison of White, Black, Hispanic, and Asian Opinion.](#)"
- CEO issues second compendium of previous studies: "[Pervasive Preferences 2.0: Undergraduate and Law School Admissions Statistics Since Grutter.](#)"



Althea Nagai, CEO senior research fellow, speaking at Federalist Society event in 2019

- Westhill testifies before U.S. [House](#), [Senate](#), and [Commission on Civil Rights](#) where he discusses the issues at stake in the Supreme Court affirmative action cases.
- CEO staff [debate affirmative action](#) around the country, are [featured](#) in national media, and place essays on the issue [online](#) and in [newspapers](#). Following launch of CEO Civil Rights Fellowship, law student alumni begin publishing [op-eds](#) opposing affirmative action.
- CEO releases updated study on racial preferences in admissions at the University of Maryland.



Devon Westhill, CEO President and General Counsel, testifies before Congress



CEO's inaugural class of civil rights fellows

## For over a quarter century, CEO staff have traveled across the country to speak to audiences on college campuses, including:

- American University
- Appalachian School of Law
- Arizona State University
- Ave Maria Law School
- Baylor University
- Boston College
- Boston University
- Brown University
- Campbell University
- Case Western Reserve University
- City University of New York
- Cleveland Marshall Law School
- Colorado Christian University
- Columbia University
- Cornell
- Dartmouth College
- Duke University
- Emory University
- Florida A&M University
- Florida Atlantic University
- Florida State University
- Fordham University
- George Mason University
- Georgetown University
- George Washington University
- Gonzaga University
- Grand Valley State University
- Grinnell College
- Harvard University
- Hillsdale College
- Lewis and Clark College of Law
- Liberty University School of Law
- Loyola University, Chicago
- Loyola Marymount University
- Mercy College
- Michigan State University
- New School (NYC)
- New York Law School
- New York University
- Northwestern University
- Notre Dame University
- Oklahoma City School of Law
- Ohio Northern University
- Ohio State University
- Princeton University
- Rice University
- Rutgers University
- Saint Louis University
- Samford University
- San Francisco State University
- Seattle University
- Southern Methodist University
- Stephen F. Austin State University
- Suffolk University
- Syracuse University
- Texas A & M University
- Texas Tech University
- Texas Wesleyan University
- Tulane University
- UCLA
- UC San Diego
- UC Santa Barbara
- UC Santa Cruz
- University at Albany
- University of Arizona
- University of California, Berkeley
- University of Chicago
- University of Colorado
- University of Dallas
- University of Denver
- University of Detroit Mercy School of Law
- University of Houston
- University of Houston Law Center
- University of Illinois, Chicago Circle
- University of Illinois, Urbana-Champaign
- University of Iowa
- University of Louisville
- University of Maryland
- University of Massachusetts
- University of Miami
- University of Michigan, Ann Arbor
- University of Minnesota
- University of New Mexico
- University of North Carolina, Chapel Hill
- University of Northern Colorado
- University of Pennsylvania
- University of Pittsburgh
- University of Richmond
- University of Southern Illinois
- University of Tennessee
- University of Texas, Austin
- University of Texas, El Paso
- University of Toledo
- University of West Virginia
- University of Wisconsin
- University of Virginia
- UT Austin
- Vanderbilt University
- Victoria College
- Wake Forest University
- Villanova University
- Washington and Lee University
- Washington State University
- Washington University in St. Louis
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