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California civil rights initiative and underrepresented minorities in education

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CALIFORNIA CIVIL RIGHTS INITIATIVE AND UNDERREPRESENTED
MINORITIES IN EDUCATION

A Thesis

Presented to the Faculty of the Department

of Sociology

San Jose State University

In Partial Fulfillment

of the Requirements for the Degree of

Master of Arts

By

Qiana Houston

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ABSTRACT

CALIFORNIA CIVIL RIGHTS INITIATIVE AND UNDERREPRESENTED MINORITIES IN EDUCATION

by Qiana Houston

To explore the significance of public policy in higher education, this study examined whether or not the implementation of The California Civil Rights Initiative (Proposition 209) had an impact on access to the higher tiers of selectivity within the California college systems.

A difference in proportion test was conducted using admissions data from the premier University of California campuses, Berkeley and Los Angeles, other University of California, and California State University campuses pre-Proposition 209 (1995-1997) and post-Proposition 209 (1998-2000). The findings indicate a displacement effect on underrepresented minority groups post-Proposition 209 from the premier University of California campuses, Berkeley and Los Angeles, to the less selective University of California and California State University campuses.

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CHAPTER 1 INTRODUCTION

Extensive research has demonstrated that educational level received as well as school selectivity largely determine occupational status, lifetime income, and overall quality of life (Bowen and Bok 1998; Karen 2002; Gerber and Schaefer 2004). Today, a four-year degree is widely believed to be a minimum educational level required to obtain a good paying, middle-status job. Access to higher education has become a vital means to address past discrimination against African Americans, Chicanos/Latinos, and American Indians. This belief is apparent by the ever-growing number of individuals who invest in a college education and by the various public policies that seek to ameliorate gaps in educational and occupational attainment between historically underrepresented groups and others (DiMaggio and Mohr 1985; Beck and Colclough 1988; Ruppert 1998; Gándara and Bial 2001).¹

¹The University determines under-representation by comparing the institution's student body to high-school graduates, or the applicant pool in terms of ethnicity and gender. If the representation of students from a certain group is lower at the institution than the applicant pool, or high school graduates, that group is considered an under-represented minority. Currently the University of

Increasing access to college for students from underrepresented groups became a major goal of policymakers during the mid 1940s. Notwithstanding significant gains over time access to postsecondary education continues to be a complex issue. Ruppert (1998) proposes that shifting public policy priorities and the lack of specific policy objectives have compounded the dilemma. "The focus of efforts to achieve access has shifted from time to time over the past five decades from veterans of World War II" in the late 1940s "to more contemporary emphases upon women, African Americans, Latinos, and Native Americans" during the latter half of the 1960s through mid 1990s "and the economically disadvantaged" in the late 1990s into the millennium (Nettles, Perna & Millett 1998, p.35). As the labor market profits to a college education grow and the competition for admissions to more selective institutions (top 12 percent of state-wide graduating high school class) becomes more intense, racial preference in college admissions, particularly in the public sector, is becoming ever more controversial (Kane 1998).

California and California State University considers Latinos, Native Americans, and African Americans underrepresented minorities throughout the undergraduate admissions process.

Education has implications for one's quality of life. The more educated are healthier, wealthier, and enjoy socially advantaged lives (Bowen and Bok 1998; Beck and Colclough 1988; Beattie 2002; Karen 2002; Gerber and Schaefer 2004). Racial differences in the selectivity of higher educational institutions help explain persistent wage gaps among college educated. Therefore, due to past and present discrimination, minorities, who are least likely to attend more selective colleges/universities, are at a disadvantage.

The state of California, for example, implemented a range of programs in the early 1970s to diversify its colleges and mitigate the effects of racial discrimination. These programs include: a) financial aid programs that targeted minorities, b) outreach programs that work to increase eligibility and enrollment, and c) retention programs to maintain minority representation in college. However, the passage and implementation of the California Civil Rights Initiative (Proposition 209) amended the California Constitution to state that "California shall not discriminate against or grant preferential treatment to any individual or group on the basis of race, sex, color, ethnicity or national origin in the scope of employment,

public education" Affirmative Action programs by the state agencies in California and "public contracting" (Cluster and Wood 1996, p.1).

Currently, Chicanos/Latinos, Native Americans, and African Americans are considered underrepresented minorities throughout the undergraduate admissions process in the California college systems (UC Office of the President 2002). The enactment of Proposition 209 banned the use of race/ethnicity as a consideration in university admissions as well as other categories, however focus is on the set back of efforts to alleviate gaps in educational and occupational attainments between underrepresented racial/ethnic groups and others.

Both proponents and opponents of Proposition 209 (see Appendix C for full text) expect that these changes in access to public higher education will decrease the admission and enrollment rates of underrepresented minorities in the University and California particularly, the flagship Berkeley and Los Angeles campuses. This study will investigate the impact of the California Civil Rights Initiative (referred to as Proposition 209 throughout the rest of this paper) on underrepresented minority

applications, admissions, and enrollments to the University of California and California State Universities.

Previous research regarding racial/ethnic differences in college application, admission, and enrollment rates has shown considerable differences in the selectivity of the colleges/universities in which students apply, are admitted, and attend. Although racial/ethnic minorities have always been more concentrated in less prestigious institutions, critics claim minorities are further being cascaded into less selective colleges/universities (Horn and Flores 2003). For example, it is possible that minorities, who are denied access to California's premier institutions, Berkeley and Los Angeles, are admitted and attend the less selective University of California, California State University, or California Community Colleges. If Proposition 209 substantially reduces minority application, admission, and enrollment rates as stipulated, existing inequalities will be reinforced.

Concerning the issue over racial preference, exploring the effects of Proposition 209 on minority application, admission, and enrollment patterns is significant. This present paper researches underrepresented minority applications, admissions, and enrollments in higher

education institutions. The following question will be examined: Have patterns of underrepresented minority applications, admissions, and enrollments in the University of California and California State institutions changed since Proposition 209 was implemented in 1998?

CHAPTER 2 LITERATURE REVIEW

Educational attainment is a major factor of occupational status, prestige, lifetime earnings, and overall quality of life. A widely used framework to understand social advantage and disadvantage is social reproduction and cultural capital (Bowles and Gintis 1976; DiMaggio 1982; Lareau 1989; Farkas, Grobe, Sheehan and Shuan 1990; Roscigno 1998; Lareau and Hovort 1999). These concepts assist in the understanding of how race, class, and gender influence the transmission of educational and occupational inequality through social and cultural capital.

Higher education plays a significant role in creating and reproducing the stratification process because 1) it is a vital prerequisite to the occupancy of the economy's most profitable and prominent positions and 2) it tends to be passed along between generations within each social strata (DiMaggio and Mohr 1985; Smart 1986; Karabel and McClelland 1989; Karen 1991; 2002; Gerber and Schaefer 2004). However, just as one's level of education has implications for employment, so does the type of education received. Studies have found that where one goes to college can have

effects on their future education, occupation, rank within that occupation, and income (Baker and Valez 1996; Bowen and Bok 1998; Karen 2002; Gerber and Schaefer, 2004).

Degrees from the more competitive and selective institutions produce greater advantages (e.g., occupational prestige, income, good health care, political participation) than degrees from less prestigious colleges/universities.

In this respect, it is important to pay attention to institutional stratification within the higher education sector. California organized its higher education system so that the broadest possible access is made available. The 1960 California Master Plan (discussed in further detail in Chapter 4) "established California's higher education structure and played a key role in creating the nation's largest and most distinguishable system of higher education" (University of California 2002, p.1).

In view of racial and ethnic inequalities in higher education (e.g., access and institutional selectivity) the goals of this study are to link Proposition 209 and Bourdieu's social reproduction theory. Lareau and Horvat's extended conceptual model of social reproduction which includes moments of inclusion and moments of exclusion will

also be included in the context of the legal and institutional changes that influence upward mobility for less privileged groups. Social justice and equal opportunity ideas (Affirmative Action) define moments of inclusion as the coming together of various forces to provide an advantage to the students' life trajectories. Whereas, merit ideas (Proposition 209) define moments of exclusion, which argues a system of color-blind admissions policies based solely on grade point average, rigor of high school preparation, and standardized test scores.

The following two sections explain the theoretical framework for this study. The first section reviews research on social reproduction, particularly cultural capital by incorporating Bourdieu's (1977) broader framework, which includes his notions of field, habitus, and practice. The second section presents two competing concepts of "merit" and "social justice and equal opportunity" to hone in on specific shifts in higher education policies and practices (Rendón 1998).

The present study examines whether there is a positive, negative, or no relationship between state policy (Proposition 209) and underrepresented racial/ethnic minority access to higher education.

SOCIAL REPRODUCTION AND CULTURAL CAPITAL

Bowles & Gintis' (1976) social reproduction theory states that public schools are often caught in the middle of societal contradictions, specifically inconsistencies between ideas of political equality and mass political participation with the economic imperatives of social inequality and control. Bowles and Gintis argue that although it is the century-old belief that public education serves as "the great equalizer" among disparate social classes in the United States public schooling reproduces social and class-based inequities.

"The structure of social relations in education not only inures the student to the discipline of the workplace, but develops the types of personal demeanor, modes of self-presentation, self-image, and social class identifications which are the crucial ingredients of job adequacy. Specifically, the social relationships of education--the relationships between administrators and teachers, teachers and students, and students and students, and students and their work--replicate the hierarchical divisions of labor" (Bowles and Gintis 1976, p.131).

Beck and Colclough (1994) based their analysis of the industrial revolution and public education on Bowles and Gintis' work. The industrial revolution brought about dramatic changes in the mix of jobs in the technical

division of labor; new jobs were created and old ones were modified, while others became obsolete. The 1950s and 1960s represented a time in which, higher education, in particular, became an important criterion to meet the changing demand for skills. Due to post-industrialism (or the service economy) employers began to require higher education credentials as criteria to assign workers to differing positions. In this sense the educational system is not necessarily a neutral institution, but one that functions to legitimize preexisting economic inequalities. Therefore political ideals of equal educational opportunity and merit are such contradictions.

Cultural capital, introduced by Bourdieu (1977), focused on how culture and education interact, thereby contributing to the social reproduction of inequality. Bourdieu (1977) applied cultural capital as a theoretical expansion of how inequality is reproduced in education. According to the theoretical construct, cultural capital conveys that legitimacy is regulated not by the government but by the educational institutions themselves. For Bourdieu, "cultural capital, or societal valued knowledge of 'high-brow' culture and cultural cues, is more likely to be apparent in families of high SES and translates into

greater likelihood of educational success" (Roscigno and Ainsworth-Darnell 1999, p.159). Simply stated, children are socialized into the culture that corresponds to their class; that particular set of cultural experiences, values, beliefs, norms, and attitudes equip people for their different positions in society. More specifically, Bourdieu (1977) maintained children who are socialized into the dominant culture will have a big advantage over children not socialized into this culture because schools attempt to reproduce a general set of dominant cultural values and ideas. Bourdieu (1977) found that within the dominant classes, teachers have the most cultural capital, attach importance to it, and reward students who have it. Students from the upper-middle and upper-class families are more likely to do well in school than lower-class students, because they possess more cultural capital which allows them to communicate easily with the teachers and school environment (see also Bourdieu 1977a, 1977b; Bourdieu and Passeron 1977). The importance placed on the dominant cultural values (characteristic of upper- or ruling-class) represents their powerful positions in a capitalist society. While cultural capital is an important part of

Bourdieu's theory of social reproduction, it is only one of three elements of his conceptual framework.

In his book *Distinction*, Bourdieu (1984) noted that capital, habitus, and field all work together to generate practice, or social action. He emphasizes that the activity of human beings is purposive, meaningful, and intelligent. Human beings understand their world and act in that world in accordance with the understanding they have of that world.

Habitus is the mental structure through which people deal with the social world. The habitus can be viewed "as a system of lasting, transposable dispositions which...functions at every moment as a matrix of *perceptions, appreciations, and actions*" (Bourdieu 1977 pp. 82-83: italics in the original). It refers to one's outlook, which shape the actions one takes. However, habitus can only be understood in light of the broader society. For instance, as high school students begin considering their college options, their behaviors (pattern of college prerequisites, test-taking, and college application behaviors) are expected to reflect their semiconscious assessments of what is possible and not

possible in relation to the class positions they were born in (Karen 2002).

A field, the setting in which practices take place, is "a network, or a configuration, of objective relations between positions" (Bourdieu and Wacquant 1992, p.97). For this reason all behavior is situated within a field of action, which has its own system of valuation and practice (Lareau and Horvat 1999). Fields are the spaces in which dominant and subordinate groups struggle for control over resources; capital only exists or functions in relation to field.

There is no true agreement among researchers about the operationalization of cultural capital, and for this reason it has been defined in many different ways. Some theorists define cultural capital as participation in high-brow activities such as interest in art and classical music, attendance at theaters and museums, and reading literature (DiMaggio 1982; Lamont and Lareau 1988; DiMaggio and Mohr 1995), while others focus on parental activities and household educational resources like books, computers, magazines, and encyclopedias (Lareau 1989; Farkas et al. 1990; Farkas 1996; Kalmijn and Kraaykamp 1996; Roscigno and Ainsworth-Darnell 1999).

Cultural capital theory posits that the culture of the privileged class (attitudes, preferences, formal knowledge, behaviors, goods, and credentials) are transmitted and rewarded by the educational system as it is a basis for the social exclusion of certain groups. Capital increases one's access to the elite social networks that convey the knowledge, skills, and abilities required by educational and occupational institutions as well as offering opportunities to increase one's cultural stock.

Race-specific expectations regarding the link between SES and achievement suggest lower educational performance among minority students, because existing inequalities in SES should be to some extent a function of lower cultural capital and limited educational resources at home (Roscigno and Ainsworth-Darnell 1999).

Kalmijn and Kraaykamp's (1996) investigation of race-specific trends (black and white) in educational attainment found that some black people's gains in family SES were explained largely by changes in cultural capital. Respecting Bourdieu's thesis, which focuses on the exclusionary nature of cultural capital, Kalmijn and Kraaykamp's findings illustrate that cultural capital may also serve as a route to upward mobility for less

privileged groups in society. Lareau and Horvat (1999) expanded the race-specific argument to propose that while cultural capital is closely tied to educational outcomes, race also plays a critical role in parent/teacher as well as student/teacher interactions.

Lareau and Horvat's (1999) work denotes 1) the value of capital is dependent upon the social setting (or field), 2) there is an important difference between the possession and activation of capital, and 3) the two aforementioned factors come together to suggest that social reproduction is shaped moment-by-moment in social fields rather than being the overly deterministic repetitive process that previous studies have indicated. Lareau and Horvat maintain that in order to understand the character of these moments researchers should look at the context in which capital is situated, the skill with which students activate capital, and institutional response to activation.

Lareau and Horvat argue that previous studies have "identified cultural and social factors that contribute to educational inequality but have not advanced knowledge of the process whereby social and cultural resources are converted into educational advantages" (37). Another way to clarify capital and one's ability to translate capital into

educational gain can be explained by looking at the way Bourdieu distinguishes between different forms of capital.

In the *Forms of Capital*, Bourdieu (1997) explains how the different types of capital can be acquired, exchanged, and converted into other forms. Bourdieu argues that an understanding of the multiple forms of capital will help clarify the structure and functioning of the social world. The most familiar example is financial capital. Financial capital tends to serve as a model against which other forms of capital are compared and conceived.

Bourdieu (1997) distinguishes among three forms of cultural capital: embodied, objectified, and institutionalized. The embodied form is directly linked to and incorporated within the individual and corresponds to what they know and can do. As embodied capital becomes integrated into the individual, it becomes a type of habitus. Habitus refers to an individual's actions that correspond with what they believe they can achieve. Objectified capital represents cultural goods and material objects such as books, paintings, instruments, or machines (computers). They can be appropriated both materially with economic capital and symbolically by way of embodied capital. Finally, cultural capital in its

institutionalized state provides academic credentials and qualifications, which create a "certificate of cultural competence which confers on its holder a conventional, constant, legally guaranteed value with respect to power" (Bourdieu 1997, p.48). It develops as a result of one's having embodied cultural capital and successfully converting it via the education system. Considering the educational system as a field Bourdieu proposed that "academic success is directly dependent upon cultural capital and on the inclination to invest in the academic market" (Bourdieu 1973, p.96).

Drawing from Bourdieu's work, this thesis considers cultural capital, habitus, and field and also uses Lareau and Horvat's extended conceptual model of moments of inclusion and moments of exclusion in the context of the legal and institutional changes that influence upward mobility for less privileged groups. Social justice and equal opportunity ideas such as Affirmative Action include university Affirmative Action policies that consist of special considerations in admissions for students from underrepresented groups, financial aid programs, and race-sensitive outreach programs.

In contrast, merit-based perspectives such as Proposition 209, which focus on grade point average, rigor of high school preparation, and standardized test scores limit the consideration of differences in educational resources and the cultural and academic experiences that affect access for underrepresented minority students. Considering this definition, the present paper focuses on the gaining of access to particular levels of selectivity between the California college systems.

"Merit" versus "Social Justice and Equal Opportunity" in College Admissions

Concerning the conflicts between ideas of "merit" and ideas of "social justice and equal opportunity" it is important to assess the extent to which access to the different sectors of public higher education is fairly distributed. As noted earlier, it matters where one goes to college, a degree from an "A" list institution such as the University of California, Berkeley or Los Angeles is superior to a degree from a state university or a community college (Rendón 1998).

Collegiate access based on merit is rooted in the principle that hard work leads to success, and educational "success" in high school, measured by grade point average and standardized test scores, is suggestive of forthcoming success in elite colleges and universities (with subsequent political power and social status the "American Dream"). In contrast, access based on social justice and equal opportunity contends that the "American Dream" is merely an illusion for members of historically underrepresented groups, and is only attainable by the privileged classes (Rendón 1998), and that proactive measures are needed to remedy historic discrimination and overcome the impact of racism on the educational opportunities among underrepresented minority groups.

"Merit"

Merit-based ideas argue that all individuals have full opportunity for obtaining the best education, which affords access to good jobs and influential positions in society the "American Dream" (Rendón 1998). Therefore, those who work hard and on their own will succeed, while those who do not succeed were either inferior or lacked the desire to do so (Merton 1969).

Access based on merit as it applies to higher education refers to the qualities, characteristics, talents, knowledge, and skills students possess, which qualify them for a position between universities. Merit focuses on the relationship between a student's qualities and the university admissions requirements (e.g., G.P.A., pattern, rigor of high school courses taken, and standardized test scores) not on race (Rendón 1998; see also Bowen and Bok 1998; Kane 1998). Merit implies that it is more justifiable to accept applicants with higher grades and test scores for admission because they worked harder than those with less favorable academic records (Bowen and Bok 1998). Advocates of the merit-based position fail to take into account the differences in educational resources or the cultural and academic experiences that affect access for underrepresented minority students (Bowen and Bok 1998). The merit-based position legitimizes inequalities in education, income, wealth, and power, and privileges the already privileged groups (Bowles and Gintis 1976; Bourdieu 1977; Beck and Colclough 1994).

Advocates of merit contend that race-sensitive policies in college admissions can hurt the intended beneficiaries because it sets them up for failure by

encouraging them to enter colleges in which they are not qualified (Bowen and Bok 1998; Kane 1998).

"Social Justice and Equal Opportunity"

Advocates of the social justice position justify race sensitive policies on two main arguments: (1) race sensitive admissions policies are needed to rectify past practices of exclusion and discrimination and to overcome the impact of these practices on the educational opportunities of minorities and (2) race-sensitive admissions are needed to obtain the benefits of an ethnically diverse student body (Bowen and Bok 1998; Kane 1998). These two arguments come together to suggest that by providing equal opportunity to cultural capital (knowledge of how the system works) and social capital (access to key social networks) underrepresented groups have access to the "American Dream."

The concept of Affirmative Action materialized in recognition of disparities between different racial and ethnic groups. This ideal recommends that in order to reverse the effects of past exclusionary practices, it is necessary to impose proactive strategies that expand opportunity and eliminate discrimination (Rendón 1998).

Under the original Affirmative Action policy, which applied to federally funded programs and institutions, college admissions officers, and those who granted work contracts, employers were expected to give preference to those who had been historically underrepresented (Haskins 2001).

University Affirmative Action programs consist of special considerations in admissions for students from underrepresented groups, financial aid programs, and race-sensitive outreach programs: (1) Access based on Affirmative Action allowed universities to take race into account in the admissions process by accepting similarly qualified minority students "even if they had lower grades and test scores" over white students. For example, "African American applicants were privileged to an advantage equivalent to an increase of two-thirds of a point in grade point average (G.P.A) on a four-point scale or 400 points on the SAT" (Kane 1998, p. 432); (2) Financial aid programs were also designed to increase access to higher education for low-income and minority students who could not afford to attend otherwise; and (3) Access via race-sensitive outreach programs was designed to increase the social and cultural capital that members of underrepresented groups lack. The programs target African

American, Chicano/Latino, and American Indian families, offer services that increase knowledge of the social and educational systems, and provide access to important information and resource networks to effectively monitor and negotiate their student's progress (Gándara and Bial 1998).

California's Outreach and K-12 Improvement Programs fall into one of four areas: 1) student-centered programs that provide academic enrichment through tutoring, mentoring, college advising, college preparatory coursework, and educational experiences beyond the classroom for K-12 students; 2) school partnerships, which offer curriculum development, direct instruction, community engagement, and other assistance to many of California's lowest performing schools; 3) professional development programs that increase the skills and effectiveness of teachers in their subject matter; and 4) enrichment and informational programs for K-12 students, Community College students, and graduate and professional students that facilitate ongoing educational opportunities (University of California Office of the President 2001; See Appendix A for program descriptions).

CHAPTER 3 LEGAL HISTORY OF CONSIDERING RACE IN ADMISSIONS

The controversy and confusion surrounding the consideration of race in university admissions have been debated in the courts for decades. As the labor market payoff to a college education continues to increase in importance so does the competition for admission to selective universities.

Critics of racial preferences in college admissions have waged a sustained attack on programs that have changed the racial composition of America's formerly segregated elite colleges, universities, and professional schools. This lengthy debate can be traced back to the *Plessy v. Ferguson* decision (1896) through *Brown v. Board of Education* (1954) to the implementation of Affirmative Action policies in the 1960s to *Bakke v. The Regents of the University of California* (1978) to the more recent enactment of *Proposition 209* (1996). What is at stake is the degree to which African American, Chicano/Latino, and other minority students will have the opportunity to attend highly selective institutions.

Plessy versus Ferguson

The first national policy on race and access to public education was set forth by the *Plessy v. Ferguson*, 163 U.S. 537 (1896) decision which allowed policy makers to establish a doctrine of segregated public institutions under the guise of equality. The Supreme Court's ruling in *Plessy v. Ferguson* was manipulated, especially by the Southern states as a basis to exclude racial/ethnic minorities from public institutions such as streetcars, sporting events, movie theaters, public parks, restaurants, and educational institutions (Haskins 2001). This decision prevailed until the landmark Supreme Court challenges of 1950 marked a turning point.

Equal Opportunity Extended to All

Higher education institutions particularly remained segregated until the NAACP led by Thurgood Marshall (who later became the first African American to serve on the Supreme Court) began to aggressively launch campaigns against the "separate but equal" educational opportunities for blacks at the graduate school level (Haskins 2001). Prior to these campaigns there were several cases that challenged segregation in education, however it was not until the U.S. Supreme Court decisions in *McLaurin v.*

Oklahoma State Regents for Higher Education 339 U.S. 637 (1950) and *Sweatt v. Painter* 339 U.S. 629 (1950) that set a precedent for the landmark *Brown v. Board of Education*, 347 U.S. 483 (1954) case because they recognized that in higher education there could be no segregation.

In Texas, a black student by the name of Herman Sweatt was denied admission to the University of Texas Law School. He sued and the state set up a separate black law school consisting of two rooms and one part-time teacher. In *Sweatt v. Painter* the U.S. Supreme Court ordered the University of Texas Law School to admit Sweatt because the black law school was not equal in terms of reputation to the white school (347 U.S. 483 1954). In Oklahoma, McLaurin was denied admission to the University of Oklahoma Law School because he was black. He solicited the NAACP's help in suing the school, and was admitted. Although the university complied with McLaurin's admission request, it made conditions so uncomfortable for him that McLaurin sued again. He contended that his constitutional rights had been violated because he was forced to sit in racially segregated seats in the classroom, library, and cafeteria. The U.S. Supreme Court ruled in favor of McLaurin and

ordered the state to remove all restrictions against him (347 U.S. 483 1954).

After initial successes in the *McLaurin v. Oklahoma State Regents for Higher Education*, 339 U.S. 637 (1950) and *Sweatt v. Painter* 339 U.S. 629 (1950) that challenged the public universities that had excluded blacks from law schools, the NAACP turned their attention to desegregating primary and secondary education.

Prior to the aforementioned cases that set a precedent for *Brown v. Board of Education of Topeka, Kansas* there was the "Lemon Grove Incident" in 1931 in which a group of Mexican parents living in San Diego, California argued that their children deserved the same education as the local ranch owner's children. The judge ruled in favor of the Mexican parents concluding that segregation in public education was illegal (Mody, Scott and Gray 2002).

Subsequently, the case in which *Brown v. Board of Education of Topeka Kansas* began in 1951. The NAACP, along with a group of thirteen parents that agreed to participate on behalf of twenty of their children challenged the "separate but equal" doctrine governing public education (Haskins 2001). The NAACP filed their case as *Oliver Brown v. The Board of Education of Topeka (KS)* which argued "to

separate black children from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone" (Haskins 2001, p.137). Consequently, the U.S. Court of Appeals ruled against the blacks upholding the Plessy decision in favor of the school board. However, added on to the court's decision were nine "Findings of Fact" in the case. One of the nine findings was in support of the NAACP, which allowed the case to be appealed to the U.S. Supreme Court (Haskins 2001).

The U.S. Supreme Court ruled in *Brown v. Board of Education*, 347 U.S. 483 (1954) and declared the separate-but-equal policy allowed under the *Plessy v. Ferguson*, 163 U.S. 537 (1896) was unconstitutional and violated the equal protection clause of the Fourteenth amendment:

Segregation of white and Negro children in the field of public schools of a State solely on the basis of race, pursuant to state laws permitting or requiring such segregation, denies to Negro children the equal protection of the laws guaranteed by the Fourteenth Amendment - even though the physical facilities and other "tangible" factors of white and Negro schools may be equal. *Brown v Board of Education*, 347 U.S. 483, Pp. 486-496 (1954).

The Backlash over Racial Preference

Notwithstanding the legal sanctioning of desegregation, the process of integration was a long, resistant, and bitter battle (Haskins 2001). The period from 1945 through the mid 1970s represented a time of rapid growth, both in total and minority enrollment in higher education. At first, universities actively recruited Blacks when creating a more racially diverse student body; however, over time most universities expanded their recruitment programs to include Hispanics and Native Americans.

The first legal challenge to considering race in university admissions was filed in California in 1978. A white student alleged that he had been wrongfully excluded from the University of California at Davis Medical School in the *Bakke v. Regents of the University of California*, 438 U.S. 265 (1978). Allen Bakke's contention was that his test scores were much higher than many of the minority applicants that were admitted, and that his denial of admission was a direct consequence of the recent implementation of Affirmative Action. The California Superior Court ruled that the University of California, Davis Medical School admissions process violated the equal

protection clause under Title VI of the Civil Rights Act of 1964, because Davis' admissions policy allocated 16 of 100 spaces to minority students and thus excluded non-minority applicants from consideration for these spaces and ordered Bakke's admission to Davis (438 U.S. 265). The judgment is affirmed insofar as it ordered Bakke's admission to Davis and invalidates the University of California, Davis' special admissions program, (438 U.S. 265, 267) but is reversed insofar as it prohibits University of California, Davis from taking race into account as a factor in its admissions decisions.

The Court was sharply divided. Four justices found that the system of racial quotas used by the University of California, Davis Medical School was discriminatory, while four justices upheld the consideration of race as one of several permissible factors while evaluating minority applicants for admissions as a necessary device to help attain an ethnically diverse student body (*Bakke v. Regents of the University of California* U.S. 265, 314-15 (1983)). After the Bakke decision, State universities began modifying their minority preference programs to comply with the Bakke ruling but continued pursuing the goal of increasing minority representation.

Minority enrollment increased since the Brown decision and at an even more rapid pace following the implementation of Affirmative Action programs between 1965-1980 (Bowen and Bok 1998). African American, Chicano/Latino, and Asian students began competing with extremely qualified whites, resulting in an increase in the percentage of minority graduation rates from colleges and professional schools (Bowen and Bok 1998). However, economic conditions of the early to mid 1980s cut state funding of education and brought about steep rises in public university tuition and fees. Consequently, minority students were disproportionately affected by tuition increases and minority enrollment rates were stagnant until the latter half of the 1980s (Hauptman, 1998; Bowen and Bok, 1998). Although state funding had an impact on access, there has been more reliance on Affirmative Action policies to achieve greater degrees of access for racial/ethnic minorities (Hauptman 1998).

The social justice and equal opportunity (Affirmative Action) idea of taking proactive measures in the present to rectify past discrimination, had reasonably broad political and public support in the years following the *Brown v. Board of Education* decision through the mid 1970s to the

late 1980s (Bowen and Bok 1998). Conversely, by the mid 1990s public and hence political support for social justice policies declined as state economic crises produced funding cuts in access to an inexpensive, quality, public college education (Hauptman 1998).

In place of social justice policies whites increasingly called for a change to merit-based college admissions. Subsequently, the courts began to reflect the public mood and re-examined the constitutionality of Affirmative Action programs. Narrowing the constitutionally permitted social justice policies "equal access," was re-conceptualized in favor of merit-based policies.

California colleges eliminated quotas after the *Bakke* decision, but still used race-based Affirmative Action programs to increase minority enrollment (Bowen and Bok 1998). For almost two decades the *Bakke* case seemed to have settled the race as a consideration issue from a legal standpoint. However, the ongoing debate over the merit of Affirmative Action, particularly in the admissions process at the University of California brought the backlash over racial preference situation to a head in the mid- 1990s (Bowen and Bok 1998).

Yet another challenge to the legality of race as a consideration was brought to the University of California's attention. The Cook family complained that their son had been denied admission to one of the University's medical schools, despite having achieved higher test scores and other indicators of academic achievement than many admitted minority students. Regent Ward Connerly introduced controversial resolutions SP-1 and SP-2, which intended to prohibit any consideration of race as a response (University of California Office of the President 1997). In 1995 SP-1 and SP-2 were formally adopted by the Regents of the University of California and rescinded the practices of considering race in admissions and employment by the University (University of California Office of the President 2001).

Subsequently, Connerly launched a system-wide review of University Affirmative Action programs, which lead to the eventual passage of SP-1 and SP-2 by the Regents and the subsequent passage of Proposition 209 (California Civil Rights Initiative) in 1996 by the California voters, both of which became effective in 1998 (University of California Office of the President 2001). SP-1 and SP-2 changed the University's admissions, hiring, and contracting practices.

SP-1 eliminated consideration of race and gender in the admission of students to the university. SP-2 eliminated race and sex as considerations in University of California's hiring and contracting practices, except where such action would result in the University's loss of federal or state funds (University of California Office of the President 2001).

Prior to the passage of SP-1 and Proposition 209 the University of California enrolled approximately sixty percent of its freshman students based on academic criteria (grades and test scores) and the other forty percent on the basis of grades and other factors that included special talents and experiences, income, family background, race, and ethnicity (UC Office of the President 1996; Baker and Valez 2002). Under SP-1 the UC was to admit no less than fifty percent and no more than seventy-five percent of its freshman class on any University of California campus solely on the basis of high school grades and standardized test scores (Baker and Valez 2002). The remaining openings were to be selected using academic achievements along with other indicators of academic promise that have the potential to contribute to the educational environment of the campus. The other indicators include special talents,

achievements outside of the classroom (volunteer work, employment, etc.), and awards (UC Office of the President 1996; Baker and Valez 2002).

The California college systems adapted their Affirmative Action programs to meet the terms of Proposition 209 eliminating the consideration of race/ethnicity and sex in any admissions criteria. In place of the race/ethnicity and sex consideration, all California universities and colleges revised the criteria of the outreach, retention, and financial aid programs to focus exclusively on the economically and educationally disadvantaged.²

²Educational/economic disadvantage includes students who are the first in their family to go to college; have a migrant family pattern, a large family, or a difficult home situation; come from a low-income family; or did not receive higher education counseling. It also includes students whose high school has a low percentage of college eligible students, has a low participation rate in post-secondary institutions, is located in a low-income area, or is located in a community where a high percentage of the residents are on public assistance (Baker and Valez 2002).

CHAPTER 4 DATA AND METHODS

Conflict over access to postsecondary education is at an all time high. Over the past 25 years the California college systems had implemented a series of outreach, retention, and financial aid Affirmative Action programs that were designed to diversify its campuses and overcome the impact of racism. The ongoing debate over the merit of Affirmative Action, particularly in the admissions process at the University of California, has ended with the implementation of SP-1, and the California Civil Rights Initiative (Proposition 209) in 1998. Proposition 209 banned the use of race as a consideration in admissions, which ended Affirmative Action policies in California schools.

The present study aims to produce a deeper understanding of the effects of replacing Affirmative Action policies with merit-based admissions policies and explores the question: have patterns of underrepresented minority applications, admissions, and enrollments in the University California and California State institutions changed since Proposition 209 was implemented in 1998?

The California College systems three-tiered structure, dictated by the 1960 California Master Plan for Higher Education permits a more detailed analysis as each of the three systems is charged with a distinct educational mission. The next section outlines the California college systems organization to clarify the stratification of California's colleges/universities. In order to examine the aforementioned research question, application, admission, and enrollment records were obtained from the University of California, Berkeley and Los Angeles, other University of California campuses, and the California State University.³

The California Master Plan

The State of California designed its system as a public trust that is ultimately responsible for the management of the University and ensuring the fulfillment of its teaching, research, and public service mission (UC Office of the President 1999). The California Master Plan for Higher Education created three separate but overlapping

³ Community Colleges have been excluded because the available data did not distinguish among students attending the Community College to obtain a terminal A.A./A.S. degree, eventual transfer to a four-year university, certificate programs, and lifelong learning or remedial education.

and complimentary systems in recognition of the diverse purposes of a postsecondary education.

The largest of the systems, the Community College (CC), serves more than 2.9 million students on 109 campuses. It is the lowest tier of selectivity in the California college systems and admits any student capable of benefiting from instruction. The Community College system is charged with providing academic and vocational instruction through the first two years of undergraduate education (lower division). It also provides terminal A.A./A.S. degrees that prepare students for the four-year institutions. The Community College also offers remedial instruction (in math and reading), English as a second language courses, adult non-credit instruction, community service courses, and workforce training services (University of California Office of the President 1999).

The California State University (CSU) serves 409,000 students on 23 campuses. The middle tier of selectivity, the California State University selects students from amongst the top one-third (33.3%) of the high school graduating class. California State University has the mission of providing undergraduate and graduate education

through the master's degree, with particular emphasis on "applied" fields and teacher credentialing.

California's state-supported academic research institution is the University of California (UC). The University of California, currently with nine institutions, serves more than 201,000 students. University of California is the highest tier of selectivity and selects from admitted students in the top one-eighth (12.5%) of the high school graduating class.

The University of California's mission is to provide undergraduate, graduate, and through PhD professional education (University of California Office of the President 1999). While the University of California is actually a single system with two layers, first among equals are the University of California, Berkeley and Los Angeles, which are considerably more elite than the other seven campuses.

California presents an excellent opportunity to test the effects of the elimination of Affirmative Action on college access due to the size of its public higher education system, its relative affordability, and natural hierarchy (Berkeley, UCLA, other University of California, and California State University).

Hypotheses

Proponents of both the social justice and merit-based college admissions criteria agreed that Proposition 209 would result in fewer minority admissions to the most selective California public universities (Berkeley, and UCLA). However, the broader effects of Proposition 209 are unanswered. Opponents of Proposition 209 argued that not only would minority admissions and enrollments decline at Berkeley and UCLA, but also would create a displacement effect among underrepresented minorities in the less selective University of California campuses and the California State University colleges. Proposition 209 (merit/anti-Affirmative Action) argued that it was just as likely that by doing away with race-based preferences minority students would have a more realistic assessment of their own college preparation and apply for admissions to the appropriate system.

In regard to these competing arguments via California's three-tiered system the following hypotheses, are tested:

H1(a): Minority applications at University of California,

Berkeley declined post-Proposition 209 in comparison

with pre-Proposition 209.

H1(b) : Minority admissions at University of California, Berkeley declined post-Proposition 209 in comparison with pre-Proposition 209.

H1(c) : Minority enrollments at University of California, Berkeley declined post-Proposition 209 in comparison with pre-Proposition 209.

H2(a) : Minority applications at UCLA declined post-Proposition 209 in comparison with pre-Proposition 209.

H2(b) : Minority admissions at UCLA declined post-Proposition 209 in comparison with pre-Proposition 209

H2(c) : Minority enrollments at UCLA declined post-Proposition 209 in comparison with pre-Proposition 209.

H3(a) : Minority applications at other University of California declined post-Proposition 209 in comparison with pre-Proposition 209.

H3(b) : Minority admissions at other University of California declined post-Proposition 209 in comparison with pre-Proposition 209.

H3(c) : Minority enrollments at other University of

California increased post-Proposition 209 in comparison with pre-Proposition 209.

H4(a): Minority applications at California State University increased post-Proposition 209 in comparison with Pre-Proposition 209.

H4(b): Minority admissions at California State University increased post-Proposition 209 in comparison with pre-Proposition 209.

H4(c): Minority enrollments at California State University increased post-Proposition 209 in comparison with pre-Proposition 209.

Data

The data collected for analyses consist of freshman applications, admissions, and enrollments of Asian, African American, Chicano/Latino, American Indian, and White California high school graduates to the University of California, Berkeley, Los Angeles, other University of California, and California State Universities.

Specifically the above data were collected for pre-Proposition 209 academic years (1995, 1996, 1997) and the post-Proposition 209 academic years (1998, 1999, and 2000).

Note that the information presented will reflect only

California state resident freshman rather than students from out of state institutions. The University of California data for the Berkeley and Los Angeles campuses are sorted out from the other University of California campuses. Please note that the data for University of California, San Francisco are not included in the other University of California category because it is a Medical school in which there are only third year applicants. Also, the California State University system only reported unduplicated data for after 1997; therefore duplicated data (student application counted for each campus applied to system-wide) for all six years were used for consistency. Also note that Community Colleges have been excluded since the available data did not distinguish among students attending the Community College to obtain a terminal A.A./A.S. degree, eventual transfer to a four-year university, certificate programs, and lifelong learning or remedial education.

Variables

The twelve pairs of hypotheses were tested in this analysis. The implementation of Proposition 209 is measured in total numbers ("values") of pre and post.

Applications, admissions, and enrollments pre-Proposition 209 are paired with applications, admissions, and enrollments post-Proposition 209.

The Underrepresented minority category is African Americans, Chicanos/Latinos, and American Indians. Non-underrepresented minorities are Asians and Whites. The sum of underrepresented minority applications, admissions, and enrollments by system and year is added to the corresponding Asian and White figures to create total application, admission, and enrollment totals by system and by year.⁴

Statistical Method

The statistical method used in the analysis is a difference in proportion test. Z-scores rather than t-scores were used to test whether or not underrepresented minority patterns of applications, admissions, and enrollments changed after Proposition 209 was implemented in 1998.⁵

⁴ In the past women, Filipino, Southeast Asian, and East Asian students have been considered underrepresented minorities, hence they are not considered in this analysis.

⁵ The same conclusions are reached whether using the T- or Z-test statistics.

CHAPTER 5 RESULTS

The question addressed here is: have patterns of applications, admissions, and enrollments changed in the California College Systems since Proposition 209 was implemented in 1998?

Findings bearing on this question are shown in Tables 1 and 2, which present application, admission, and enrollment percentages for underrepresented minority students pre- and post-Proposition 209 for the two elite University of California campuses Berkeley and Los Angeles. Table 3, the middle tier of selectivity consists of all other University of California campuses and Table 4 presents the least selective California State University system.

Table 1 presents the results of the difference in proportion tests for applications, admissions, and enrollments of underrepresented minority California resident freshman during the three years prior to the implementation of Proposition 209 (1995-1997) and the three years after the implementation of Proposition 209 (1998-2000) at University of California, Berkeley. Beginning in the upper left corner of Table 1, and reading across

findings indicate that underrepresented minority applications to University of California, Berkeley decreased from 22% to 21%, (the difference of 1%, $P=.0003$). The difference is statistically significant. However, minority student admissions declined from 29% to 18% (the difference of 11%, $P<.0001$). The difference was statistically significant. University of California, Berkeley enrollments declined from 27% to 17% (the difference of 10%, $P<.0001$). The difference was statistically significant. The findings support hypotheses 1(a), 1(b), and 1(c) which indicated a decline in applications, admissions, and enrollments at the University of California, Berkeley post-Proposition 209 at the University of California, Berkeley.

Table 2 presents results of the difference in proportion tests for applications, admissions, and enrollments of underrepresented minority California resident freshman during the three years prior to the implementation of Proposition 209 (1995-1997) and the three years after the implementation of Proposition 209 (1998-2000) at University of California, Los Angeles. Beginning in the upper left corner of Table 2, underrepresented minority applications to University of California, Los

Angeles decreased from 20% to 19% (the difference of 1%, $P=.00003$). The difference was statistically significant. Conversely, admissions declined from 23% to 15% (the difference of 8%, $P<.0001$). The difference is statistically significant. Underrepresented minority enrollments to UCLA decreased from 25% to 16% (the difference of 9%, $P<.0001$). The difference is statistically significant. The findings in Table 2 supported hypotheses 2(a), 2(b), and 2(c) which suggested a decline in underrepresented minority applications, admissions, and enrollments post-Proposition 209 to the University of California, Los Angeles.

Table 3 shows the results of the difference in proportion tests for applications, admissions, and enrollments of underrepresented minority California resident freshman during the three years prior to the implementation of Proposition 209 (1995-1997) and the three years after the implementation of Proposition 209 (1998-2000) at all other University of California campuses. The upper left corner of Table 3 indicates underrepresented minority applications remained consistent at 21% of all applications. Admissions declined from 21% to 20%, (the difference of 1%, $P<.0001$). The difference was

statistically significant. However enrollments increased from 19% to 21% (the difference of 2%, $P=.0002$). The difference was statistically significant. The outcomes in Table 3 were mixed. Hypotheses 3(a) and 3(c) which indicated an increase in underrepresented minority applications and enrollments were supported. However hypothesis 3(b), which suggested an increase in admissions, was not supported. There was a slight decrease in underrepresented minority admissions post-Proposition 209 at other University of California campuses.

Table 4 represents the results of the difference in proportion tests for applications, admissions, and enrollments of underrepresented minority California resident freshman during the three years prior to the implementation of Proposition 209 (1995-1997) and the three years after the implementation of Proposition 209 (1998-2000) at California State University colleges. In the upper left corner of Table 4, underrepresented minority applications to CSU campuses decreased from 43% to 41% (the difference of 2%, $P<.0001$). The difference was statistically significant. Likewise, minority student admissions declined from 39% to 36% (the difference of 3%, $P<.0001$). The difference was statistically significant.

California State University enrollments also declined 41% to 37% (the difference of 4%, $P < .0001$). The difference was statistically significant. Findings in Table 4 did not support hypotheses 4(a), 4(b), and 4(c), which suggested an increase in underrepresented minority applications, admissions, and enrollments to the California State University system post-Proposition 209.

The top elite campuses, Berkeley and Los Angeles, experienced a reduction of underrepresented minority applications, admissions, and enrollments; whereas the middle tier of all other University of California campuses had a slight decrease in minority admissions of 7.9% but a 5.0% increase in enrollments. The California State University system had 7.6% decrease in minority admissions while enrollments decreased 8.6%. These percentage changes suggest that minority students were more likely to apply, be admitted, and enroll at University of California and California State University (the lower tiers of selectivity) post-Proposition 209 than the Berkeley and Los Angeles campuses.

Table 1. Applications, Admissions, and Enrollments of Underrepresented Minority
 California Resident Freshman at University of California, Berkeley Pre-Post
 Proposition 209

Pre-Proposition 209 1995-1997			Post-Proposition 209 1998-2000			Change	
Minority	Total	% Minority	Total	% Minority	Difference	Z-Score	P-Value
Applications	54193	21.9%	60283	20.9%	-1	-4	.00003
Admissions	20377	29.3%	17805	18.0%	-11.3	-25.7	<.0001
Enrollments	8428	27.4%	7906	17.0%	-10.4	-15.9	<.0001

Table 2. Applications, Admissions, and Enrollments of Underrepresented Minority California Resident Freshman at University of California, Los Angeles Pre-Post Proposition 209

	Pre-Proposition 209 1995-1997		Post-Proposition 209 1998-2000		Change	
	Total	% Minority	Total	% Minority	Difference	Z-Score P-Value
Applications	63957	19.6%	74470	18.7%	-0.9	-4 .00003
Admissions	25566	23.2%	23273	14.5%	-8.7	-24.4 <.0001
Enrollments	9213	25.0%	9452	16.3%	-8.7	-14.6 <.0001

Table 3. Applications, Admissions, and Enrollments of Underrepresented Minority California Resident Freshman at all other University of California Pre-Post Proposition 209

		Pre-Proposition 209 1995-1997		Post-Proposition 209 1998-2000		Change			
	Minority	Total	% Minority	Total	% Minority	Difference	Z-Score	P-Value	
	Applications	241828	21.0%	305475	21.4%	0.4	3.6	.0002	
	Admissions	172529	21.1%	186865	19.5%	-1.7	-12.4	<.0001	
	Enrollments	41865	19.2%	45679	20.1%	1	3.5	.0002	

Table 4. Applications, Admissions, and Enrollments of Underrepresented Minority
California Resident Freshman at California State University Pre-Post Proposition 209

Pre-Proposition 209 1995-1997			Post-Proposition 209 1998-2000			Change	
Minority	Total	% Minority	Total	% Minority	Difference	Z-Score	P-Value
Applications	296829	43.5%	381758	40.6%	-3.0%	-24.5	<.0001
Admissions	191450	39.1%	234705	36.1%	-3.0%	-19.9	<.0001
Enrollments	75167	40.4%	86886	37.0%	-3.5%	-14.3	<.0001

CHAPTER 6 DISCUSSION

This thesis examines changes in the patterns of applications, admissions, and enrollments before and after the implementation of Proposition 209 in 1998. The focus on the three levels of selectivity (University of California, Berkeley, University of California, Los Angeles, other University of California, and California State University sectors of the California college systems) makes it possible to point out some of the changes in access to public higher education in California for underrepresented minority students.

The results of Proposition 209 were most noticeable at the University of California, Berkeley and Los Angeles, the most selective schools in the California public college system. Findings demonstrate that while underrepresented minority applications remained consistent, admissions and enrollment patterns declined considerably at the University of California, Berkeley after Proposition 209 was implemented in 1998. The results for the University of California, Los Angeles also indicates consistency among application percentages whereas there was a dramatic

decrease in underrepresented minority admissions and enrollments post-Proposition 209.

Presumably the changes are consistent with an ideological movement away from social justice and equal opportunity ideas represented by race-conscious Affirmative Action admissions to merit-based ideas represented by the enactment of Proposition 209. The changes in applications, admissions, and enrollments were similar at University of California, Berkeley and University of California, Los Angeles and clearly exhibited one of the expected outcomes of the passage of Proposition 209. Consistent with proponents of the merit-based argument, minorities were admitted at a substantially lower rate but they were not discouraged from applying to the elite universities. University of California, Berkeley saw an average decline of 11% and UCLA experienced a decline of 8.7% after Proposition 209 was enacted (see Tables 1 and 2).

The findings for all other University of California campuses (Davis, Irvine, Riverside, Santa Cruz, Santa Barbara, and San Diego) indicate an increase in underrepresented minority applications, a slight decrease in admissions and an increase in enrollments post-Proposition 209. It appears as though we cannot

conclusively determine that at least some of the underrepresented minorities denied admission at the flagship institutions, were able to qualify for the second tier of selectivity in the California college system. Thus expectations that proposition 209 would have an effect of cascading underrepresented minority students out of one level of selectivity into a lower level of selectivity is partially supported.

The largest and least selective tier of the four-year college systems is the California State University. The results indicate a completely different pattern than the University of California system. Applications, admissions, and enrollments declined in the 3% range. This suggests that the only effect of Proposition 209 was to reduce minority applications to the California State University with enrollment rates remaining constant, producing a 3% decline in minority admissions and enrollments.

It seems that Proposition 209 may have affected the patterns of applications, admissions, and enrollments more severely at the University of California, Berkeley and Los Angeles, than the other University of California campuses. In this case, the displacement effect remained within the University of California system post-Proposition 209. An

unexpected finding was the drop in applications, admissions, and enrollments at the California State University system. Considering these post-Proposition 209 patterns there may be other factors that have affected underrepresented minority representation.

Students are posited to make decisions to continue or terminate their education on the basis of the increases in income, skills, and knowledge they can expect from each additional year of education, net of the opportunity costs of staying in school, including lost wages and out-of-pocket expenses, such as tuition (Beattie 2002).

Considering the fact that California's economic conditions and the job market during the post-Proposition 209 years were stable, one can speculate that after students weighed their options and decided to join the job market rather than attending the California State University system.

Another factor that may have influenced underrepresented minority application, admission, and enrollment patterns at the California State University is the likelihood that students who were denied admissions to University of California, Berkeley and Los Angeles enrolled at Community Colleges to improve G.P.A. and attempted to

reapply to the University of California rather than attend the California State University system.

A plausible explanation in regards to the decline in underrepresented minority applications, admissions, and enrollments at the University of California and California State University systems after the implementation of Proposition 209 was the Affirmative Action programs' criteria shift away from race to focus exclusively on economic and educational disadvantage and the shift from grants to loans in university financial aid. Consider the California Student Opportunity and Access Program (Cal SOAP) for example. The Cal SOAP program was administered by the Student Aid Commission, which formerly offered services to underrepresented minorities seeking postsecondary degrees. They changed their criteria from considering race to focusing on students from low-income backgrounds that are the first in their family to attend college, who attend high schools with low college and university participation rates. As a rule outreach, retention, and financial aid programs served underrepresented minorities in addition to economically and educationally disadvantaged students. Now they only focus on the latter two groups (Matosantos and Chiu 1998).

Although tuition and fees in 1999 decreased, financial aid programs began to shift from grants to loans, which served to make the financing of higher education more and more difficult for minority families. Consequently, underrepresented minorities were disproportionately affected. Many students may have been unwilling to take on the financial burden of a loan. Therefore having limited financial resources was a major barrier to attending a four-year college for underrepresented minorities (NCES 1997; Hauptman 1998).

Both proponents and opponents of Proposition 209 argued that underrepresented minority student representation would decline at the University of California, Berkeley and Los Angeles. Although it is an unknown fact how much the implementation of Proposition 209 affected African American, Chicano/Latino, and American Indian student patterns of applications, admissions, and enrollments when considering the other aforementioned factors. It is possible that a combination of factors had an affect rather than the elimination of race alone.

The implications of this thesis supported critics claims to minorities being cascaded into less selective institutions on the basis of Proposition 209 eliminating

race as a consideration in University admissions in part, however, only within the University of California system. The findings did not support Proposition 209 advocates' claims of race-sensitive college admissions policies hurting the intended beneficiaries by encouraging them to apply to colleges for which they are not qualified. In fact, underrepresented minority students continued to apply to the University of California system at approximately the same rate pre- and post-Proposition 209.

The implications of this study suggest that following the implementation of Proposition 209 there were changes in underrepresented minority patterns of applications, admission, and enrollments particularly at California's flagship institutions, Berkeley and Los Angeles. Though the results for the California State University system indicated a completely different pattern.

CHAPTER 7 CONCLUSION

Educational attainment is an important determinant of an individual's income yet not all education is equal (Gerber and Schaefer 2004). The differences among the racial/ethnic groups and the selectivity of the public higher education institutions that students attend in California can help explain persistent wage gaps among the college educated (Bowen & Bok 1998; Karen 2002).

The goals of this study were to link Proposition 209 and Bourdieu's social reproduction theory in a contextual framework as political moments of inclusion (social justice and equal opportunity ideas such as Affirmative Action) and political moments of exclusion (merit-based ideas such as Proposition 209). Bourdieu's (1984) framework, for social reproduction noted that capital, habitus, and field all work together to generate social action. In regards to the legal history over considering race in admissions these notions mark moment-by-moment patterns of minority inclusion and exclusion in higher education institutions. The two competing concepts of "merit" and "social justice and equal opportunity" can be used to illustrate how

capital, field, and habitus generate specific shifts in higher education policies and practices.

In terms of schooling, Bourdieu (1973) described the educational system as a field. Within the educational field, the most valuable form of capital is cultural capital; "academic success is directly dependent upon cultural capital and on the inclination to invest in the academic market" (p.96). Historically for underrepresented minority students the lack of access to cultural capital limited educational attainment, which in turn affected their access to occupation, rank within that occupation, and income (e.g., good health care, political participation).

Social justice and equal opportunity ideas (Affirmative Action) define moments of inclusion as the coming together of various forces to provide an advantage to the students over their life courses. Affirmative Action programs were created as a result of social action. Race was taken into account in university admissions policies and programs as a means of providing equal opportunity to cultural capital (knowledge of how the system works) and social capital (access to key social networks) for underrepresented groups. Cultural capital in this context

was a means of upward mobility. In contrast, merit-based perspectives such as Proposition 209, which focus on grade point average, rigor of high school preparation, and standardized test scores limit the consideration of racial differences in educational resources and the cultural and academic experiences that affect access for underrepresented minority students.

Through the social reproduction of these two conflicting ideas social actions are reflected in public policies. Through Affirmative Action policies (moments of inclusion) underrepresented minorities were provided access to education, government contracting, higher levels of income, and civic participation via the consideration of race/ethnicity. Whereas Proposition 209 (moments of exclusion) represents social actions in which there is a shift away from Affirmative Action policies in favor of merit-based practices. Thus limiting underrepresented minority access to education, government contracting, higher levels of income, civic participation, etc.

Both merit- and Affirmative Action-based ideas have endured a backlash in regards to college admissions and race. The issue of "fairness" is at the heart of both social justice and equal opportunity and merit-based ideas.

What is interesting is how the concept of "fairness" is defined and has shifted over time. The era of Civil Rights and its subsequent years believed the concept of social justice and equal opportunity was a suitable argument for race-conscious Affirmative Action policies. However in the present era a shift in support for merit-based ideas of "fairness" is currently represented by public policies. Thus it seems the concept of "fairness" depends on the time period in which it is being argued.

This thesis was concerned with whether or not Proposition 209 had an impact on access to higher education for members of underrepresented groups. Findings based on this study indicate that the California Civil Rights Initiative (Proposition 209) implemented in 1998 did change underrepresented minority patterns of applications, admissions, and enrollments in the more selective public higher education institutions in California.

Limitations

This study hones in on the points of entry into California postsecondary education institutions. While access to a college education has clear implications for the country's economic well-being, where underrepresented

minorities gain access and the likelihood that they will complete their college education are equally important. Suggestions for a complete discussion regarding the impact of Proposition 209 on California college systems changes include: (1) a comparison of applications, admissions, and enrollments the academic years following 2000, (2) the percentage of students applying to out of state schools, (3) applications, admissions, and enrollments of community college, graduate and professional programs, and (4) rates of degree completion.

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APPENDICIES

APPENDIX A

Subject, Scholarship, and Examination Requirements

There are three pathways to satisfying the University's minimum admission requirements for freshman students: 1) eligibility in the statewide context, 2) eligibility in the local context, and (3) eligibility by examination alone (Baker and Valez 2002). To be eligible in the statewide context, students must fulfill the Subject, Scholarship, and Examination requirements (see Appendix a). Eligibility in the local context (ELC or 4% plan) requires students to be on track to complete a pattern of specified college preparatory courses and rank in the top 4% of their high school class at the end of their junior year. Eligibility by test scores alone requires students to achieve sufficiently high-test scores on standardized tests. Minimum requirements include a composite score of 31 or higher on the ACT or a total score on the SATI of at least 1400. In addition students must achieve a total score of 1760 or higher on the three SATII Subject tests.

"A-G" SUBJECT REQUIREMENTS

"a" History/Social Science -- 2 years required.

Two years of history/social science, including one year of world history, cultures and geography; and one year of U.S. history or one-half year of U.S. history and one-half year of civics or American government.

"b" English -- 4 years required.

Four years of college preparatory English that include frequent and regular writing, and reading of classic and modern literature. Not more than two semesters of ninth-grade English can be used to meet this requirement.

"c" Mathematics -- 3 years required, 4 years recommended.

Three years of college preparatory mathematics that include the topics covered in elementary and advanced algebra and two- and three-dimensional geometry. Approved integrated math courses may be used to fulfill part or this entire requirement, as may math courses taken in the seventh and eighth grades that your high school accepts as equivalent to its own math courses.

"d" Laboratory Science -- 2 years required, 3 years recommended.

Two years of laboratory science providing fundamental knowledge in two of these three core disciplines: biology (which includes anatomy, physiology, marine biology, aquatic biology, etc.), chemistry and physics. The final two years of an approved three-year integrated science program may be used to fulfill this requirement. Not more than one year of ninth-grade laboratory science can be used to meet this requirement.

"e" Language Other than English -- 2 years required, 3 years recommended.

Two years of the same language other than English. Courses should emphasize speaking and understanding, and include instruction in grammar, vocabulary, reading, composition and culture. Courses in language other than English taken in the seventh and eighth grade may be used to fulfill part of this requirement if your high school accepts them as equivalent to its own courses.

"f" Visual and Performing Arts (VPA) -- 1 year required.

One year of visual and performing arts chosen from the following:

"g" College Preparatory Electives -- 1 year required.
 One year (two semesters), in addition to those required in "a-f" above, chosen from the following areas: visual and performing arts (non-introductory level courses), history, social science, English, advanced mathematics, laboratory science and language other than English (a third year in the language used for the "e" requirement or two years of another language).

SCHOLARSHIP REQUIREMENTS

ELIGIBILITY INDEX

The Scholarship Requirement defines the grade point average (GPA) you must attain in the "a-g" subjects and the SAT I (or ACT) and SAT II test scores you must earn to be eligible for admission to the University.

If your GPA is 2.8 or above, you satisfy the minimum Scholarship Requirement if you achieve the test score total indicated in the Eligibility Index at right.

The University calculates your GPA in the "a-g" subjects by assigning point values to the grades you earn, totaling the points, and dividing the total by the number of "a-g" course units. Points are assigned as follows: A=4 points, B=3 points, C=2 points, D=1 point and F=0 points.

Only the grades you earn in "a-g" subjects in the 10th, 11th and 12th grades are used to calculate your GPA. Courses you take in ninth grade can be used to meet the Subject

CALIFORNIA RESIDENTS

"a-g"	Test	"a-g"	Test
GPA	Score	GPA	Score
	Total		Total
2.80 -		3.20 -	
2.84	4640	3.24	3408
2.85 -		3.25 -	
2.89	4384	3.29	3320
2.90 -		3.30 -	
2.94	4160	3.34	3248
2.95 -		3.35 -	
2.99	3984	3.39	3192
3.00 -		3.40 -	
3.04	3840	3.44	3152
3.05 -		3.45 -	
3.09	3720	3.49	3128
3.10 -		≥ 3.50	
3.14	3616		3120
3.15 -			
3.19	3512		

NONRESIDENTS

"a-g"	Test	"a-g"	Test
GPA	Score	GPA	Score
	Total		Total
3.40 -		≥ 3.50	
3.44	3152		3120
3.45 -			
3.49	3128		

Requirement if you earn a grade of C or better, but they will not be used to calculate your GPA.

Honors Courses

The University assigns extra points for up to four units of University-certified honors level and advanced placement courses taken in the last three years of high school: A=5 points, B=4 points, C=3 points. No more than two years of UC-approved honors level courses taken in the 10th grade may be given extra points. A grade of D in an honors or advanced placement course does not earn extra points.

The courses must be in the following "a-g" subjects: history, English, advanced mathematics, laboratory science and foreign language, and they must be certified as honors courses by the University. In these fields, as well as in the fields of computer science, social science and the visual and performing arts, courses that are designed to prepare students for an Advanced Placement Examination of the College Board or a Higher Level Examination of the International Baccalaureate and college courses that are transferable to the University are acceptable honors level courses.

D and F Grades

D and F grades in the "a-g"

Test Score Total equals: [SAT I composite score] + [2 x (SAT II Writing score + SAT II Mathematics score + third required SAT II score)]. SAT I composite is highest combined mathematics and verbal scores from a single sitting. Highest individual SAT II scores, from any sitting, will be considered. An ACT score may substitute for a SAT I composite. An ACT to SAT I conversion table is provided.

ACT TO SAT I CONVERSION

Equivalent		Equivalent	
ACT	SAT I	ACT	SAT I
Score	Score	Score	Score
36	1600	23	1070
35	1580	22	1030
34	1520	21	990
33	1470	20	950
32	1420	19	910
31	1380	18	870
30	1340	17	830
29	1300	16	780
28	1260	15	740
27	1220	14	680
26	1180	13	620
25	1140	12	560
24	1110	11	500

courses must be repeated or validated. Consult your counselor to determine how these grades can be improved and how the University will use them in evaluating your scholarship record. Grades for repeated courses in which you initially earned a grade of C or better will not be used.

* Source: www.ucop.edu

APPENDIX B

Outreach and K-12 Improvement Programs

School-Centered Programs

School university partnership programs are designed to facilitate complete educational changes in selected K-12 schools throughout California. Each of the UC campuses has developed widespread partnerships with regional high schools and their feeder elementary and middle schools. UC is now engaged in partnership with 256 schools, including 73 high schools, 55 middle schools and 128 elementary schools. These include many of the lowest-performing schools in California.

The school university partnership program is flexible, accommodating both the needs of schools and the concentration of campus programs. Though substantial program variation exists, each partnership combines a set of educational interventions, including teacher professional development, curricular reform, the development of educational leadership, community and family engagement, mentoring, academic planning, direct instruction, tutoring of students by UC undergraduates, and technology based initiatives.

Student-Centered Programs

Student-centered programs provide academic enrichment and support services to students as they work toward University eligibility requirements. These programs as a component of university informational outreach, target students in low-income communities, foster relationships with school counselors, and disseminate university requirements and financial aid information to families. These programs account for approximately \$30 million of the UC outreach budget (state and UC fund sources). Descriptions of UC and CSU student-centered programs are as follows:

Early Academic Outreach Program (EAOP)

The first of the system-wide outreach programs in 1976, EAOP is a college preparatory program sponsored by the University of California. The program's mission is to provide middle and high school students from underrepresented communities with information on UC eligibility requirements and college preparation strategies. EAOP serves students in grades 7-12 and provides individual and group activities for students, parents, and schools. The program is operated on all eight UC campuses and currently serves 131 school districts.

EAOP began as a junior high school program aimed at encouraging students to take the courses required for University admission.

EAOP tracks course completion patterns, grade point averages, and UC eligibility status for senior participants. It is clear from the program statistics that large numbers of underrepresented students who enter the University have participated in EAOP. The University reports that in 1995 there were 7,777 EAOP seniors whose eligibility status was known. Of these, 47 percent were eligible for the University.

Mathematics, Engineering and Science Achievement (MESA)

MESA has a long-standing reputation for successfully increasing access to the University for underrepresented students. MESA is a partnership between the University, business and industry, other higher education institutions, and K-12 education to serve disadvantaged and underrepresented students in math-based fields.

The University reports that 12,000 students in 295 elementary, middle and high schools are currently being served. Recent CPEC reports present data showing impressive proportions of MESA high school students successfully completing advanced mathematics or physics

courses, increased grade point averages and college admissions tests for MESA students.

Student-based academic development programs and services account for approximately \$30 million of the University's Outreach budget (State and UC fund sources). **California Student Opportunity and Access Program (Cal-SOAP)**

The California Student Opportunity Access Program is a student-centered and financial aid program coordinated by the Student Aid Commission. Competitive grants are awarded to consortia of high schools, postsecondary institutions, and community agencies. The various program centers provide services spanning the range of college-preparatory activities including assistance with financial aid, tutoring, skill development, campus visits, parent involvement, and test preparation.

CPEC reports present information showing college going rates for Cal-SOAP students were substantially higher than for high school graduates overall in the counties operating Cal-SOAP programs.

Professional Development Programs

Professional development programs are designed to increase the skills and effectiveness of teachers in their subject matter. The California Subject Matter Project (CSMPs) was expanded and California Professional Development Institutes (CPDIs) were developed.

The California Subject Matter Projects (CSMPs)

The California Subject Matter Projects provide professional development to K-12 teachers throughout California. Inverness Research Associates reports that in 1993-94, over 67,000 teachers participated in the institutes and other events sponsored by the CSMPs. During this same year the CSMPs offered more than five hours of professional development, on average, for every teacher in California. Escalating importance on increasing the competence of the K-12 teaching force in California motivated the expansion of professional development programs.

Building upon the accomplishments of the CSMPs, the University of California in full partnership, with California State Universities, independent colleges and universities, and the K-12 community, coordinated California Professional Development Institutes (CDPI)

throughout the state. Several CPDIs hosted on campuses and in school districts provide intensive 40-120 hour institutes for continuing and experienced teachers. These institutes take place during the summer and inter-sessions in conjunction with follow-up sessions and activities throughout the school year to develop teacher leaders in nine content areas: Arts, Foreign Language, History-Social Science, International studies, Mathematics, Physical Education-Health, Reading-Literature, Science and Writing. Of the overall UC budget for educational outreach and K-12 improvement programs, professional training and development programs for teachers are now the largest single budget category, accounting for 53% of the total. In contrast, K-12 outreach programs - in the traditional sense of "outreach," that is, programs aimed at bringing more students from disadvantaged backgrounds into the University represent a lesser share of the total. Altogether, K-12 outreach programs, including both student outreach programs and school university partnerships, now comprise about 30% of the overall UC budget for educational outreach and K-12 improvement.

*Source: Expanding Educational Opportunity, A Status Report on Educational Outreach and K-12 Improvement Programs at the University of California (Fall 2001).

All information reported in the appendixes regarding UC eligibility, outreach and K-12 support programs, Admissions as a freshman, and Major Features of the California Master Plan is public information that was obtained from the University of California, Office of the President website at www.ucop.edu quoted as it published.

APPENDIX C**The California Civil Rights Initiative, Proposition 209**

The California Civil Rights Initiative, Proposition 209 was passed on November 5th by 54 percent of California voters in November 1996. This amendment to California's Constitution banned the use of race, ethnicity, sex, or national origin in the operation of public employment, public education, or public contracting (Cluster & Wood, August 1994).

APPENDIX D

DATA SOURCES

Sources for application, admission, and enrollment data were obtained from The University of California, Office of the President, Academic Services, OA&SA, and Application Flow Reports. The California State University data were retrieved from the Student Profiles 2004 Statistical Abstract, section 3. Please note that the California State University data is reported in duplicated numbers.