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## Transitioning to Race-Neutral Admissions

An Overview of Experiences in States Where Affirmative Action Has Been Banned

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The U.S. Supreme Court's recent decision in *Fisher v. University of Texas* narrowed universities' options for considering race and ethnicity in admissions. For university leaders and admissions officers who have relied on the consideration of race or ethnicity as the primary tool for creating a diverse student body, the winnowing of race-conscious strategies may seem a frightening prospect that threatens to unravel the tapestries of diverse enrollment that they have been able to weave over the years.

However, a number of states have already banned race- and ethnicity-based affirmative action or ended the practice at leading public universities. Eight states (California, Washington, Florida, Michigan, Nebraska, Arizona, New Hampshire, and Oklahoma) currently ban the consideration of race or ethnicity in admissions at all public institutions, and two others (Georgia and Texas) have restrictions on the practice at leading public universities.

Together, the eight states with complete bans educate 29 percent of all high school students in the United

States.<sup>1</sup> A good portion of the country is already faced with a reality in which the consideration of race or ethnicity is not an option in college admissions. The universities in these states provide the rest of the nation with a glimpse of the challenges posed by this limitation as well as strategies that can be used to overcome them.

In a 2012 report for The Century Foundation, my colleague Richard Kahlenberg and I examined practices and outcomes at the public flagship universities in states where affirmative action has been curtailed.<sup>2</sup> This chapter draws from that research, expanding it to include the most recent state to ban affirmative action, Oklahoma. This analysis provides an overview of the different methods that institutions have used to encourage racial, ethnic, and socioeconomic diversity under race-neutral admissions and reviews changes in student body demographics since the bans. (See Table 6.1 for a summary of state bans, diversity policies, and demographic outcomes.) The chapters that follow provide a more detailed look at experiences in select states.

Universities in the ten states where affirmative action has been limited have taken a variety of approaches to building diversity without the explicit consideration of race or ethnicity in admissions. In transitioning to race-neutral admissions, states and institutions created plans to encourage geographic diversity or give a leg up to socioeconomically disadvantaged students. Many bolstered financial aid policies, creating programs that could attract disadvantaged students from underrepresented demographics with the promise of financial support once enrolled. Universities also increased efforts to recruit and support low-income, minority, and first-generation students while building partnerships with K–12 schools to increase the pool of college-ready applicants down the line.

A majority of the flagship universities in these states have been able to regain previous levels of enrollment of underrepresented minorities—defined in this chapter as black and Hispanic students—under race-neutral admissions. These institutions still have a long way to go in terms of enrolling student bodies that reflect the full racial, ethnic, socioeconomic, and geographic diversity of the population in their state. However, they demonstrate that it is possible to compensate for the loss of race- or ethnicity-based affirmative action with a diversity strategy that considers a variety of demographic and geographic factors. Furthermore, the multifaceted plans universities adopted may have the added benefit of increasing the variety of socioeconomic backgrounds and geographic regions represented on campus in addition to helping foster racial and ethnic diversity.

**TABLE 6.1.** States in Which Affirmative Action Has Been Banned

<b>State</b>	<b>Year</b>	<b>Method of Ban</b>	<b>Public Flagship University</b>	<b>Diversity Policies under the Ban</b>	<i>Has percentage of minority undergrads at flagship under the ban met or exceeded pre-ban percentage?</i>	
					<b>Black</b>	<b>Hispanic</b>
<b>Texas</b>	1996	Lower court order (Reversed in 2003 by U.S. Supreme Court ruling in <i>Grutter v. Bollinger</i> )	UT Austin & Texas A&M	<b>Admissions</b> <ul style="list-style-type: none"> <li>• Top 10 Percent Plan</li> <li>• Socioeconomic factors added</li> <li>• Legacy preferences dropped at Texas A&amp;M</li> </ul> <b>Financial Aid</b> <ul style="list-style-type: none"> <li>• Two statewide programs created by legislature: TEXAS Grant and the Top 10 Percent Scholarship Program</li> <li>• Two programs at UT Austin: the Presidential Achievement Scholarship and the Longhorn Opportunity Scholarship</li> </ul> <b>Recruitment, Outreach, and Support</b> <ul style="list-style-type: none"> <li>• Regional admissions centers</li> <li>• Recruitment weekends targeting underrepresented regions and high schools</li> <li>• K-12 partnerships for college prep and dual credit</li> </ul>	UT Austin Yes   Yes	
<b>California</b>	1996	Voter referendum	UC-Berkeley & UCLA	<b>Admissions</b> <ul style="list-style-type: none"> <li>• Percent plans based on class rank statewide and within each high school</li> <li>• “Comprehensive Review” process at each campus including socioeconomic factors</li> <li>• Legacy preferences dropped across UC system</li> </ul> <b>Financial Aid</b> <ul style="list-style-type: none"> <li>• UC grant program: Blue and Gold Opportunity Plan</li> </ul> <b>Recruitment, Outreach, and Support</b> <ul style="list-style-type: none"> <li>• Commitment to increase community college transfers</li> </ul>	UC-Berkeley No   No UCLA No   Yes	
<b>Washington</b>	1998	Voter referendum	University of Washington-Seattle	<b>Admissions</b> <ul style="list-style-type: none"> <li>• Holistic review considering socioeconomic factors</li> </ul> <b>Financial Aid</b> <ul style="list-style-type: none"> <li>• Privately funded scholarships for targeted minorities</li> </ul> <b>Recruitment, Outreach, and Support</b> <ul style="list-style-type: none"> <li>• Increased recruitment targeting minority applicants</li> <li>• K-12 Partnerships with Native American tribes and students in foster care</li> <li>• Educational Opportunity Program to support enrolled underrepresented minorities, economically disadvantaged students, and first-generation college students</li> </ul>	Yes   Yes	

(continued)

**TABLE 6.1.** States in Which Affirmative Action Has Been Banned (*continued*)

State Year Method of Ban  Public Flagship University	Diversity Policies under the Ban	Has percentage of minority undergrads at flagship under the ban met or exceeded pre-ban percentage?	
		Black	Hispanic
<b>Florida</b> 1999 Executive order University of Florida	<b>Admissions</b> <ul style="list-style-type: none"> <li>Talented 20 (percent plan)</li> <li>Profile Assessment provided alternate admissions path that considers socioeconomic factors</li> </ul> <b>Financial Aid</b> <ul style="list-style-type: none"> <li>Florida Student Assistance Grant (statewide program)</li> <li>Florida Opportunity Scholar Fund at University of Florida</li> </ul> <b>Recruitment, Outreach, and Support</b> <ul style="list-style-type: none"> <li>Increased recruitment and support programs targeting minorities</li> <li>Center for Academic Retention and Enhancement at Florida State University providing outreach and support for low-income and first-generation students</li> </ul>	Yes	Yes
<b>Georgia</b> 2000 Lower court order University of Georgia	<b>Admissions</b> <ul style="list-style-type: none"> <li>Broader admissions criteria considering some socioeconomic factors</li> <li>Legacy preferences ended at University of Georgia</li> </ul> <b>Financial Aid</b> <ul style="list-style-type: none"> <li>One UGA Scholarship targeting students who provide diversity (defined broadly)</li> </ul> <b>Recruitment, Outreach, and Support</b> <ul style="list-style-type: none"> <li>Office of Institutional Diversity created to help recruit students from historically underrepresented populations</li> </ul>	Yes	Yes
<b>Michigan</b> 2006 Voter referendum University of Michigan-Ann Arbor	<b>Admissions</b> <ul style="list-style-type: none"> <li>New socioeconomic factors added to admissions process</li> </ul> <b>Financial Aid</b> <ul style="list-style-type: none"> <li>Continued reliance on M-PACT institutional financial aid program</li> <li>Community college transfer scholarships created</li> <li>Scholarship criteria shifted to rely on geography as a proxy for demographics</li> </ul> <b>Recruitment, Outreach, and Support</b> <ul style="list-style-type: none"> <li>Center for Educational Outreach created to coordinate K–12 partnerships</li> <li>Additional recruitment and support for community college transfer students</li> </ul>	No	No

<b>State</b>	<b>Year</b>	<b>Method of Ban</b>	<b>Public Flagship University</b>	<b>Diversity Policies under the Ban</b>	<i>Has percentage of minority undergrads at flagship under the ban met or exceeded pre-ban percentage?</i>	
					<b>Black</b>	<b>Hispanic</b>
<b>Nebraska</b>	2008	Voter referendum	University of Nebraska-Lincoln	<p><i>Note:</i> The University of Nebraska-Lincoln voluntarily stopped considering race/ethnicity in admissions back in 2005, before the ban.</p> <p><b>Financial Aid</b></p> <ul style="list-style-type: none"> <li>Expanded Collegebound Nebraska, a university system-wide financial aid program</li> </ul> <p><b>Recruitment, Outreach, and Support</b></p> <ul style="list-style-type: none"> <li>Expanded K–12 partnerships</li> </ul>	Yes	Yes
<b>Arizona</b>	2010	Voter referendum	University of Arizona	<p><b>Admissions</b></p> <ul style="list-style-type: none"> <li>Additional socioeconomic factors considered in some graduate school admissions</li> </ul> <p><b>Financial Aid</b></p> <ul style="list-style-type: none"> <li>Graduate school scholarship selection criteria shifted to socioeconomic factors</li> <li>Increased reliance on Arizona Assurance Scholars Program at the University of Arizona</li> </ul> <p><b>Recruitment, Outreach, and Support</b></p> <ul style="list-style-type: none"> <li>Continuation of New Start Summer Program to help transition incoming freshmen</li> </ul>	Yes	Yes
<b>New Hampshire</b>	2011	Legislation	University of New Hampshire	<p><i>Note:</i> Officials at the University of New Hampshire stated that race/ethnicity was already not a consideration in university admissions prior to the ban.<sup>a</sup> However, according to the university's institutional reporting, racial/ethnic status was a consideration in undergraduate admissions as of 2012–2013, the most recent data available.<sup>b</sup></p> <p><i>No evidence of new diversity policies under the ban on affirmative action</i></p>	No	Yes
<b>Oklahoma</b>	2012	Voter referendum	University of Oklahoma Norman Campus	<p><i>Note:</i> According to the University of Oklahoma, race/ethnicity was already not a consideration in admissions or in state-funded scholarships prior to the ban.<sup>c</sup></p> <p><b>Admissions</b></p> <ul style="list-style-type: none"> <li>Holistic admissions process implemented, to go into effect fully in fall 2016<sup>d</sup></li> </ul>	Data not yet available	

(continued)

**TABLE 6.1.** States in Which Affirmative Action Has Been Banned (*continued*)

Source: Richard D. Kahlenberg and Halley Potter, *A Better Affirmative Action: State Universities that Created Alternatives to Racial Preferences* (New York: The Century Foundation, 2012), <http://tcf.org/assets/downloads/tcf-abaa.pdf>.

With the exception of statistics on two universities, data on minority representation are from the U.S. Department of Education, National Center for Education Statistics, Integrated Postsecondary Education Data System (IPEDS), <http://nces.ed.gov/ipeds/datacenter/>.

Demographic enrollment data on the University of Arizona is from "Students by Ethnicity and Gender 2010–11," *The University of Arizona Fact Book 2010–11*, <http://factbook.arizona.edu/2010-11/students/demographics>, and "Students by Ethnicity and Gender 2011–12," *The University of Arizona Fact Book 2011–12*, <http://factbook.arizona.edu/2011-12/students/demographics>.

Demographic enrollment data on the University of New Hampshire is from "Enrollment Summary of Degree & Non-degree Minority Students, University of New Hampshire," The University of New Hampshire, 2013, [http://www.unh.edu/institutional-research/sites/unh.edu/institutional-research/files/1990-2013%20minority%20counts\\_0.pdf](http://www.unh.edu/institutional-research/sites/unh.edu/institutional-research/files/1990-2013%20minority%20counts_0.pdf)

a. Peter Schmidt, "New Hampshire Ends Affirmative-Action Preferences at Colleges," *Chronicle of Higher Education*, January 4, 2012, <http://chronicle.com/article/New-Hampshire-Ends/130196/>.

b. University of New Hampshire, Common Data Set 2011–2012, <http://unh.edu/institutional-research/sites/unh.edu/institutional-research/files/CDS%202011-2012.pdf>.

c. Silas Allen, "Oklahoma Colleges, Universities Prepare for Changes Following Affirmative Action Ban," *NewsOK*, November 7, 2012, <http://newsok.com/oklahoma-colleges-universities-prepare-for-changes-following-affirmative-action-ban/article/3726480>.

d. *Policy and Procedures Manual*, Oklahoma State Regents for Higher Education, <http://www.okhighered.org/state-system/policy-procedures/>.

## State Bans on Affirmative Action

States have banned the consideration of race or ethnicity in university admissions through a variety of means, with action stemming from judicial, legislative, and executive powers as well as directly from voters.

### *Lower Court Decisions*

Two states (Texas and Georgia) faced decisions from lower courts that ended the consideration of race at one or more universities in the state. Texas was the first state with a ban on affirmative action. In 1996, the Fifth Circuit Court of Appeals ruled in *Hopwood v. Texas* that the state's colleges and universities could not use race- or ethnicity-based admission policies.<sup>3</sup> However, in 2003, in response to the U.S. Supreme Court's ruling in *Grutter v. Bollinger*, the University of Texas system reopened the possibility of using racial or ethnic preferences in admissions.<sup>4</sup> The University of Texas at Austin (UT Austin), the flagship of the University of Texas system, began considering race again in 2005; however, Texas A&M University, the state's other flagship, retained the race-neutral admissions system it had adopted after *Hopwood*.<sup>5</sup>

In Georgia, a lower court decision resulted in an end to the consideration of race in 2000; however, unlike in the other states, the decision

applied only to one university, and the decision to drop the consideration of race completely was a voluntary act by the University of Georgia. A U.S. District Judge ruled in 2000 that the University of Georgia (UGA), Georgia's flagship public university, could not continue its current consideration of race/ethnicity in admissions.<sup>6</sup> The University appealed the decision, but in 2001, the Court of Appeals for the Eleventh Circuit found in *Johnson v. Board of Regents of the University of Georgia* that UGA's particular admissions policy was unconstitutional because the use of race was not narrowly tailored.<sup>7</sup> Fearing continued legal battles, UGA opted to drop affirmative action completely in 2000.<sup>8</sup>

### *Voter Referenda*

Six states banned affirmative action as the result of voter referenda. California was first, with voters enacting Proposition 209 in November 1996. The new amendment to the state's constitution held that "The state 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 operation of public employment, public education, or public contracting."<sup>9</sup> After California, five more states passed similar referenda amending their constitutions. Washington followed suit in 1998, Michigan in 2006, Nebraska in 2008, Arizona in 2010, and Oklahoma in 2012.

### *Executive Orders*

In Florida, an executive order banned affirmative action, in part as an effort to preempt a voter referendum on the issue. In November 1999, Governor Jeb Bush announced the "One Florida Initiative," ending the use of race, ethnicity or gender in the state's employment, contracting, and higher education admission decisions. The higher education portion of the ban affected only admissions in the State University System (SUS), and the consideration of race and ethnicity was still permitted in scholarships, outreach, and targeted programs at SUS schools.<sup>10</sup>

### *Legislation*

In 2011, New Hampshire's state legislature passed House Bill 623, prohibiting "preferences in recruiting, hiring, promotion, or admission by state agencies, the university system, the community college system, and the postsecondary education commission" on the basis of "race, sex, national origin, religion, or sexual orientation."<sup>11</sup>

### Diversity Policies under the Bans

Most of the public flagship universities in states affected by affirmative action bans pursued new ways to encourage diverse enrollment at their institutions. No longer able to consider race in admissions, many began considering socioeconomic factors. Some universities increased financial aid programs, thereby encouraging low-income students to apply and making it possible for them to attend. Universities also increased recruitment of under-represented populations, outreach to under-resourced schools, and support for at-risk and minority students once enrolled.

### *Admissions*

States and universities adopted a variety of new race-neutral admissions policies to help encourage diversity. Some capitalized on segregation in K–12 schools to use geographic diversity as a proxy for racial, ethnic, and socioeconomic diversity. Others addressed socioeconomic factors directly, giving a leg up to disadvantaged applicants and removing legacy preferences, which indirectly hurt admissions chances for low-income and minority applicants.

**Percent Plans.** Texas, California, and Florida adopted statewide “Percent Plans” that guarantee admission to state universities for top graduates from each high school in the state. At their most basic level, these plans encourage geographic diversity, drawing students from high schools that may never before have sent students to the state’s leading universities. However, because of high levels of socioeconomic and racial/ethnic segregation in K–12 schools, the plans also have the effect of opening the door to many low-income and minority students who may not have been competitive applicants before—or who may simply not have applied because they assumed they would not get in. The focus on high school GPA rather than SAT/ACT scores may also improve the chances of minority applicants.<sup>12</sup>

Thanks to its prominence in recent Supreme Court arguments, Texas’s Top 10 Percent plan is probably the best known of these plans, admitting students in the top 10 percent of their graduating high school class to the Texas public university of their choice.<sup>13</sup> Plans in California and Florida also offer admission to a top slice of students from each high school class—the top 9 percent in California and the top 20 percent in Florida. However, these two states do not guarantee that students will

be admitted to the campus of their choice, only that at least one campus will offer them a spot.

In Florida, for example, Governor Jeb Bush created the “Talented 20” program at the same time that he issued the executive order banning the consideration of race and ethnicity in admissions as an explicit strategy to help ensure diverse admissions.<sup>14</sup> Under Talented 20, graduates of Florida public high schools who complete required classes, rank in the top 20 percent of the graduating class at their high school, and submit an ACT or SAT score (the score itself is not considered, but it must be submitted) are guaranteed admission to the State University System, though not necessarily to their school of choice.<sup>15</sup>

**Adding Socioeconomic Factors.** Many of the universities affected by affirmative action bans added or increased emphasis on socioeconomic factors in admissions. Institutions sometimes used these factors—such as family income, wealth, single parent status, neighborhood demographics, high school performance, and parent education level—as proxies for race or ethnicity. However, they also expanded their definitions of diversity and merit to consider diversity of life experiences and the merit of overcoming obstacles.

In Florida, for example, socioeconomic factors were introduced to replace a race-based affirmative action program. Bush’s One Florida Initiative ended the state university system’s alternative admissions program, which was originally adopted to increase the number of black students by considering special circumstances, including racial background, to admit students who did not meet the regular admissions criteria.<sup>16</sup> Under the replacement program, Profile Assessment, a maximum of 10 percent of the incoming class across the state university system may be admitted under an alternative set of criteria that considers socioeconomic factors such as parental education and high school performance, in addition to grades and test scores.<sup>17</sup>

In Oklahoma, socioeconomic factors were introduced in admissions considerations for all applicants and represented a system-wide shift in attitudes about diversity and merit. According to the University of Oklahoma, race and ethnicity were already not considerations in admissions or in state-funded scholarships prior to the ban.<sup>18</sup> However, faced with an upcoming vote on affirmative action, the University of Oklahoma adopted a new “holistic” system for undergraduate admissions in spring 2012, to go into full effect in 2016.<sup>19</sup> Previously, the university admitted

undergraduates using an automatic calculation based on ACT, GPA, and class rank.<sup>20</sup> Under the new holistic admissions, students will be required to submit an essay and recommendation, and one of the criteria used to evaluate applications will be “recognition of benefits of a culturally and intellectually diverse academic community.”<sup>21</sup>

**Dropping Legacy Preferences.** Several universities also dropped legacy preferences for children of alumni in response to the loss of race-based affirmative action. Because children of alumni are less likely to be low-income or members of racial/ethnic minorities, these programs indirectly hurt the admissions chances of some disadvantaged applicants while overwhelmingly privileging white, wealthy students.<sup>22</sup> In California, the Board of Regents voted to eliminate the practice across the university system back in 1996 in response to Proposition 209, the voter initiative that banned race-based affirmative action.<sup>23</sup> In the early 2000s, the University of Georgia also chose to end legacy preferences in response to the loss of affirmative action, based on the recommendations of a faculty committee.<sup>24</sup> At Texas A&M University, president Robert M. Gates ended legacy preferences in 2003 in response to public outcry; Texans charged the university with hypocrisy for allowing one factor of ancestry (alumni relation) that favors privileged students to be considered while simultaneously opting not to consider other ancestral factors (race and ethnicity) that might be associated with disadvantage.<sup>25</sup>

### *Financial Aid*

In addition to changing admissions plans, public universities also reassessed financial aid programs as tools for encouraging campus diversity. Adequate financial aid is a crucial ingredient in supporting low-income students once enrolled, and comparing aid packages can be an important factor in students’ decisions where to enroll. Furthermore, clearly communicated financial aid promises can encourage low-income students to apply by giving them a reasonable expectation of their cost of attendance, and targeted scholarships can help recruit individual low-income and minority students to campus.

**Clear Financial Aid Promises.** Six of the twelve leading public universities examined for this research created or expanded financial aid programs that provide significant support to low-income students based on clearly communicated criteria. From a recruitment perspective, these

programs served as a promise to low-income students that helped encourage them to apply.

In Nebraska, for example, during the same year that voters banned affirmative action, the Board of Regents of Nebraska implemented a newly expanded financial aid program, Collegebound Nebraska, to be offered at all four University of Nebraska campuses.<sup>26</sup> Collegebound Nebraska offers free tuition for all Nebraska residents who are Pell Grant recipients (as well as some from families just outside Pell eligibility) and maintain a full-time course schedule with a minimum GPA of 2.5.<sup>27</sup>

The University of California has a similar program, the Blue and Gold Opportunity Plan, which was created by the Board of Regents in 2009.<sup>28</sup> For the 2011–12 academic year, the program fully covered system-wide tuition and fees for students from families with incomes below \$80,000.<sup>29</sup> No separate application is required for the program—students simply fill out the FAFSA and the University of California’s standard financial aid application.

Other universities offer programs that fall short of meeting the full financial need of all eligible applicants but still help increase access for a number of low-income students. For example, the University of Florida runs the Florida Opportunity Scholar Fund, started in 2006, offering full scholarships to first-generation freshmen from low-income families, allowing students to graduate without loans.<sup>30</sup> And since 2005, the University of Michigan has offered M-PACT, a financial aid program that provides need-based grants to low-income Michigan residents, helping to reduce loans for more than 2,900 undergraduates in its first year.<sup>31</sup>

**Targeted Scholarships.** In addition to broad financial aid programs, universities also introduced scholarships to target specific underrepresented populations. In some states, universities worked around bans on awarding public aid based on race/ethnicity by setting up private scholarship funds to support minority students. The University of Washington started a privately funded Diversity Scholars program in 2001, and within the first two years, the program raised over \$7 million to provide scholarships for 200 students who met the criteria of being underrepresented minorities with exemplary academic records and demonstrated financial need.<sup>32</sup>

The University of Michigan, on the other hand, chose to rework scholarships that had previously considered race and ethnicity by adding geography as a factor. Starting with the 2007–08 admissions cycle, the

university began using a special tool that looks at data for a student's neighborhood and high school to determine scholarship eligibility.<sup>33</sup> The tool, Descriptor PLUS, identifies "academic, socioeconomic and student-interest characteristics according to geodemography, a system based on the concept that people with similar backgrounds and perspectives cluster in communities."<sup>34</sup>

The University of Michigan also created a scholarship specifically targeted at community college transfer students, who are more likely to be low-income and members of underrepresented minority groups than applicants who are first-time college students.<sup>35</sup>

### *Recruitment, Outreach, and Support*

In addition to changing admissions and financial aid policies, universities affected by bans on affirmative action implemented aggressive recruitment plans to target underrepresented students. They partnered with K–12 schools to help increase the pool of qualified applicants, and they created programs to ensure that at-risk students are supported to be successful once enrolled.

**Recruiting Disadvantaged and Underrepresented Students.** Where allowed, some state universities increased recruitment of underrepresented minority students. The executive order that banned affirmative action in Florida, for example, allowed for the continued consideration of race and ethnicity in recruitment. The University of Florida increased its racially conscious outreach, recruitment, and support programs in order to compensate for the loss of racial or ethnic considerations in admissions.<sup>36</sup> Their admissions office runs a number of programs for minority high school and community college students, including student recruitment conferences for African-American students and Hispanic-Latino students.<sup>37</sup>

Other universities targeted recruitment efforts designed to increase diversity of the student body using race-neutral criteria. UT Austin created a number of programs to recruit students from underrepresented regions and high schools. The university has seven regional admissions centers throughout the state of Texas, allowing UT representatives to attend college fairs, visit high schools, and provide information sessions for high school students in their area.<sup>38</sup> The admissions office also holds weekend recruitment events to target underrepresented populations, such as "Longhorn Game Weekends," which focus on specific geographic

regions, and “Longhorn for a Day,” which reaches out to students from underrepresented high schools.<sup>39</sup>

A couple of universities also emphasized increasing community college transfer as a way to enroll underrepresented populations. In 1997, in the wake of the state’s affirmative action ban, the University of California (UC) signed a memorandum of understanding with the State of California pledging to increase community college transfer enrollment at UC campuses by a third, and in 1999 UC increased the commitment to a 50 percent increase.<sup>40</sup> By 2008–09, 26.3 percent of new students enrolling in the UC system were transfers from California community colleges.<sup>41</sup>

Likewise, the University of Michigan (UM) used funding from the Jack Kent Cooke Foundation to expand programs and services for transfer students and funded a study to better understand the characteristics of community college transfer students targeted by UM.<sup>42</sup> The university increased recruitment, pre-admission support, application help, and post-admission support for community college transfer students.<sup>43</sup>

**Building the K–12 Pipeline through Outreach.** In addition to reaching out to high school juniors and seniors, universities have also taken a longer term approach to increasing campus diversity by forming partnerships with K–12 schools to help grow the pool of qualified applicants, focusing on economically disadvantaged students and members of racial/ethnic minorities. As a result of a task force to create race-neutral diversity solutions in the wake of the state’s referendum banning affirmative action, the University of Michigan opened the Center for Educational Outreach to coordinate programs that link the university with K–12 schools in the state. The CEO Scholars Program, for example, awards scholarships to middle and high school students to support participation in UM summer programs. The center’s College 101 program offers a three-day, overnight program for rising tenth grade students to expose them to the college experience, with UM students serving as mentors during the program. Similarly, the Michigan College Advising Corp trains recent UM grads to work for up to two years as college advisers in traditionally underserved high schools across the state.<sup>44</sup>

The University of Nebraska at Lincoln (UNL) has also been a leader in these efforts to reach secondary students early. The Nebraska College Preparatory Academy, run by UNL, works with high school students at two schools in Nebraska, providing them academic support, counseling, summer courses, and science camps. Students from the program who are

admitted to UNL or a partnering community college receive full scholarships with no loans.<sup>45</sup>

**Supporting At-risk Students.** A number of universities also increased support programs for minority, low-income, and first-generation students as part of their diversity plans. At the University of Washington, for example, the Educational Opportunity Program (EOP), which from 1968 to 1997 was an alternative admissions route for low-income and minority students, was reinvented as a support program for students who are underrepresented minorities, economically disadvantaged, or first-generation college students. EOP provides academic counseling services and also helps students navigate financial aid, housing, and other personal matters.<sup>46</sup> Florida State University (FSU) took a similar route, replacing two older programs that aimed to increase minority student retention with a new socioeconomically targeted program, CARE (Center for Academic Retention and Enhancement).<sup>47</sup> CARE provides outreach to high school students and academic support for enrolled students, all targeted at first-generation college students or those facing particular educational or economic challenges.<sup>48</sup>

Providing support for students during the transition to college is another strategy to improve retention and graduation of low-income and other at-risk students. A number of universities, including Florida State University and the University of Arizona, offer “summer bridge” programs that bring low-income, minority, or first-generation students to campus early for extra orientation sessions.<sup>49</sup>

### Changes in Campus Demographics

As more states have banned the consideration of race in college admissions, many public universities have feared that this policy change would be devastating to racial and ethnic diversity on their campus. However, for the most part, this has not been the case. Out of 11 flagship public universities in nine states where the use of race in admissions has at one time been eliminated, seven were able, at some point under race-neutral admissions, to meet or exceed the level of enrollment of underrepresented minority students (defined here as black and Hispanic students) seen in the year prior to the ban taking effect.<sup>50</sup> (See Table 6.1.)

Several factors stand out among the four schools where racial and ethnic diversity did not recover previous levels. Three of these

universities—UCLA, UC–Berkeley, and the University of Michigan–Ann Arbor—are more selective than the other public flagship universities affected by affirmative action bans. Selective colleges have a smaller pool of qualified applicants to begin with, and these applicants are more likely to be considering a variety of in- and out-of-state college options. As a result, selective colleges may face greater challenges in terms of recruiting additional applicants from underrepresented demographics.<sup>51</sup> Selective schools are gatekeepers for positions of economic and political power in our country, and they produce better outcomes than less selective colleges, on average, for equally qualified students.<sup>52</sup> Therefore, identifying effective diversity strategies for selective campuses under race-neutral admissions is an important area for future research.

The fourth school, the University of New Hampshire, is something of an outlier in that it has very low levels of racial diversity to begin with, serving a population that is 92 percent white.<sup>53</sup> Furthermore, university officials asserted that race and ethnicity were already not considerations in university admissions prior to the ban on affirmative action in the state, and there is no evidence that the ban prompted changes to university policy.<sup>54</sup> The University of New Hampshire appears to have had paid relatively little attention to racial and ethnic diversity before the state's legislature banned affirmative action, and this attitude appears to have continued afterwards.

At seven schools—UT Austin, Texas A&M, the University of Washington, the University of Florida, the University of Georgia, the University of Nebraska-Lincoln, and the University of Arizona—black and Hispanic representation did recover its pre-ban levels. However, even at these institutions, there is progress to be made. At some of these schools, minority representation was already on a downward slide before the bans on affirmative action took effect. For example, the University of Georgia saw the enrollment of black students fall throughout the mid-1990s as the university switched from a formula-based affirmative action program with two admissions tracks to a single admissions track for all applicants. In addition, negative press surrounding legal challenges to the use of race at the university precipitated a drop in applications from black students even before race-neutral admissions took effect.<sup>55</sup>

Furthermore, in many of these states, the percentage of black and Hispanic high school students has increased since the ban on affirmative action took effect. In terms of providing equitable access to students of all backgrounds, therefore, the bar is rising. Universities that keep

enrollment of underrepresented minorities steady may actually be providing less access over time, proportionally, as black and Hispanic students represent an increasing share of the K–12 population.<sup>56</sup> Colleges should instead strive to provide access proportional to the demographics of the state’s school-age population—which may require dramatically increasing minority representation.

However, the results at these institutions do show that race-neutral admissions and increased financial aid, recruitment, and support programs can produce similar levels of racial and ethnic diversity as admissions plans that consider these factors outright. Concerns that eliminating the consideration of race and ethnicity in admissions will dramatically reduce underrepresented minority enrollment may be overblown.

Furthermore, in addition to creating similar levels of racial and ethnic diversity as traditional affirmative action plans, these alternative diversity strategies also have the potential to increase campus diversity across a number of other measures, including socioeconomic status, geography, home language, and life experience. Data on these factors is difficult to obtain and compare across institutions, but we know from case studies that it is possible, for example, for a socioeconomic affirmative action plan to create as much racial and ethnic diversity as a race-based plan while also increasing representation of low-income students on campus.<sup>57</sup>

## Conclusion

Perhaps the most encouraging trend among public universities where race and ethnicity are no longer factors in admission is that, in nearly all cases, universities have been proactive in pursuing diversity on campus. As restrictions on the use of race and ethnicity in admissions are likely to spread, and as achievement gaps at the K–12 level and in higher education persist, colleges must be more active and creative in encouraging diverse enrollment. The strategies developed by universities which have been forced to end affirmative action programs offer a useful roadmap for other institutions looking to expand the set of tools used to recruit, admit, and enroll students of all backgrounds.