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ACCESS AND EQUITY ISSUES AT UCLA IN A POST- AFFIRMATIVE ACTION ERA

BY

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DISSERTATION

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## **Abstract**

This study investigates the admissions of Chicano/Latinos and African American students in a post affirmative action era at the University of California, Los Angeles (UCLA). Data was collected and analyzed from the University of California Office of the President (UCOP) from 1989-2008 it examines admission trends of students from the fore mentioned-communities and the impact of eliminating affirmative action programs at UCLA. This dissertation concludes that the elimination of affirmative action programs has decreased underrepresented students at UCLA. However, the impact varies by community. For Chicano/Latino students their representation at UCLA dropped after the elimination of affirmative action but later recovered, although their representation at UCLA still remains a challenge. For African American Students, their numbers and percentages are meager and with the elimination of affirmative action, their representation has dwindled even furthered. The dissertation explores how a public university like UCLA can ignore a large proportion of students when these two groups together comprise a large sector of K-12 population in the state. As such, this study questions not only the commitment of UCLA, but also of K-12 institutions, in making these students competitive to gain admissions at this highly selective public state university.

*I would like to dedicate this dissertation to my father and mother Jose and Sara Jimenez. Without their love and support none of my educational and life successes would have been possible.*

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## **Chapter 1**

### **Introduction:**

#### **The University of California at Los Angeles (UCLA): A Story of Access or Dismay?**

California is one of the most diverse and populous states in the country. Their post secondary system educates about one in seven students in the United States (Gandara, Horn, & Orfield, 2005). The University of California (UC) is one of the best public university systems in the country. Eight of its nine undergraduate campuses are ranked in the top fifty public universities in the nation (US News and World Report, 2010). Even with this great prestige, the UC system has struggled with issues of race and access to each of its publicly supported campuses. The struggle has had a long history that predates Executive Order 10925, signed by President John F. Kennedy. This mandated project financed with federal funds take “affirmative action” to ensure that hiring and employment practices are free of racial bias. Moreover, the Civil Rights Act of 1964 signed into law by President Lyndon B. Johnson prohibited discrimination on the basis of race, class and national origin (infoplease.com, 2007).

Even with federal interventions, the UC system did very little to address issues of race and only did so when it was forced to take action. Since the Third World Strikes at UC Berkeley in the sixties, through the 1980’s, to the elimination of affirmative action programs in the 1990’s, the UC continues to confront and struggle with issues of race that have been exacerbated by the fiscal crisis in the state (Steinhauer, 2009). Even though the UC system has faced numerous controversies, this dissertation solely explores how the numbers of admitted African American and Chicano/Latinos students differ from those who were admitted when race conscious admissions were in place at the University of California, Los Angeles (UCLA) 1989-2008. In order to better comprehend what

transpired at UCLA, it becomes important to understand the historical background of this university and how it has served the people of California.

### **UCLA and University of California: A Historical Overview**

UCLA opened its doors in 1919 and is part of the present day ten-campus UC system. The ten campuses are comprised of: Berkeley, Davis, Irvine, Los Angeles, Merced, Riverside, San Diego, San Francisco, Santa Barbara, and Santa Cruz. Berkeley and UCLA have a special place in the UC system. Both Berkeley and UCLA are the oldest and are considered the flagship campuses of the system. Consequently, these two institutions are under constant scrutiny in regard to UC admissions policies in a post affirmative action era (Trounson, 2006). Contrary to popular belief, the UC system abolished its affirmative action programs not as a result of Proposition 209, but rather by Special Resolution 1 (SP1) which was approved by the UC board of Regents in 1995 (UCOP, 1995). SP 1 stipulated that race was not to be used as a criteria for admission in the acceptance of students into the UC (UCOP, 1995). SP 1 was passed in the summer 1995, more than a year before Proposition 209 was passed by the voters of California. As such, the UC Regents took a pre-emptive action to eliminate affirmative action programs before California voters could do so. Even though the UC Regents later rescinded SP1 as a symbolic gesture, little changed as Proposition 209 was still in place (Regents of the University of California, 2001). Hence their action had no impact. Most of the current research concerning the abolishment of affirmative action centers around Berkeley (Chavez, 1998; Guerrero, 2002; Karabel, 1998; Laird, 2005) and thus more attention needs to focus on what occurred at the other highly selective campuses of the

UC. Although there has been research focused on admissions in the UC system, (Anderson, 2002; Burman, 1998; Schmidt, 1997; Takagi, 1992) etc., this study focuses solely on the application and admission cycles for African American and Chicano/Latino students at UCLA

### **Why UCLA?**

The University of California, Los Angeles (UCLA) is ranked the second top public university in the United States (US News and World Report, 2010). This campus is situated in the city of Los Angeles; one of the most diverse urban centers in the world. Some would assume that UCLA, a tax supported public university, would reflect the diversity of the city and the state. Especially since Los Angeles is one of the most racially diverse cities in the country. However, that is not the case. With the abolishment of race as a criterion for admission, UCLA has struggled to have a diverse student body that resembles the diversity of Los Angeles and California. The abolishment of affirmative action by SP1 and Proposition 209 led to decreases in the number of applications received and subsequently the enrollments of African American and Chicano/Latino students in undergraduate and graduate admissions (Academic Planning & Budget, 2000; G. Orfield & Miller, 1998). Despite attempts by the UC to increase diversity – implementation of admission policies like Eligibility in the Local Context (ELC) or the “four percent plan,” which automatically admits UC eligible students who graduate in the top “four percent” – some question the effectiveness of the attempts (Horn & Flores, 2003; Hudson, 2000).

The purpose of this study is to explore effectiveness of attempts (outlined above) to increase underrepresented student enrollment and analyze how such policies have affected the representation of African Americans and Chicano/Latinos at UCLA in this post affirmative action climate. This research will not only focus on Chicano/Latino and African American representation in a post affirmative action era, but provide an analysis of the application and admission cycles in the years before affirmative action was rescinded. The data presented may suggest that admissions policies to UCLA were detrimental to those above mentioned communities.

Data for the analysis was provided by the University of California Office of the President (UCOP). Using descriptive statistics, conclusions are drawn that explain what transpired after the elimination of race-based admission policies. To better conceptualize these complex issues, it becomes necessary to revisit issues of access that led to the abolishment of race-based affirmative action programs in the UC system.

### **The Debate on Affirmative Action and Meritocracy**

During the mid nineties, the debate for affirmative action took center stage. It brought attention to the lack of access of underrepresented minorities in higher education. Notably, California, Texas, Washington, Florida, and Michigan grappled with this issue; especially with the ever-growing minority population. Consequently, the on-going national demographic shifts have and will continue to create populations in which Caucasians<sup>1</sup> constitute the minority in some of the nation's most populous states (About.com, 2005). In states such as California, minorities constitute a majority in the

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<sup>1</sup> For the purpose of this dissertation there will be times that Caucasians will be referred to as "White". This may be due in part on how certain data sets represent members of this community.

public schools (College Board, 1998). Yet, minority representation in American higher education remains dismal due to historical legacies of exclusion (ACLU, 1999; Almaguer, 1994; Anderson, 1988). Research suggests the quality of minority education is subpar in our nation's public K-12 schools (Kozol, 1991; National Research Council, 2001; Rose, 1990). Even with growing evidence that suggests this, critics of affirmative action like former UC Regent Ward Connerly, contend affirmative action has penalized students who are "more" qualified (referring to Caucasian and Asian students). He contends that the university has treated these students unfairly by admitting lesser qualified students (referring to African American and Chicano/Latino students) (Chavez, 1998). Connerly also asserted that race, rather than merit, is rewarded (Laird, 2005).

It may seem that critics of race-based admissions may have a valid argument against affirmative action, but ultimately these statements fail to recognize the historical and contemporary issues of exclusion and inequality that these communities encounter in American society (Almaguer, 1994; Guinier & Torres, 2002). Scholarly evidence suggests that historically, educational disparities have affected African Americans and Chicano/Latinos (Anderson, 1988, 2002; Bensimon, Hao, & Bustillos, 2003; Chapa, 2002; Edley, 1996). With a legacy of exclusion, affirmative action has attempted to address these issues. Even though the legacy of exclusion has been well-chronicled, some argue that merit is being compromised (Bolick, 1996a).

This dissertation focuses solely on UCLA application and admissions. However it is important to understand if the eradication of affirmative action programs has contributed to the cascading effect by race, where highly selective campuses have higher proportions of Caucasian and Asian students while the least selective campuses have a

higher proportion of African American and Chicano/Latino students. It is also important to explore how a highly selective university like UCLA has dealt with the issue of representation in a post-affirmative action era.

When a campus states it has a commitment to diversity, whether they believe in it or not, it must fulfill that mission. For the purpose of this dissertation the focus is on UCLA, but represents a systemic problem throughout the UC system. In the end, the study explores:

In a post affirmative action era at the University of California, in particular UCLA, how do the numbers of admitted African American and Chicano/Latino students differ from those when race-conscious admissions were in place?

### **Organization of Dissertation**

The dissertation is organized as follows: Chapter Two will be a review of the literature as it relates to theories of capital, reproduction and issues of race and class. In addition, I will explore policies that laid the foundation for affirmative action. In Chapter Three, court cases are discussed, specifically proceedings and policies that had a monumental impact on access to higher education for underrepresented students. In Chapter Four I will discuss the research methods employed in this study and discuss the strengths and limitations. Chapter Five will be a report of students who applied and were admitted into UCLA. In Chapter Six, an analysis of findings is provided with a discussion of the findings as they relate to African American and Chicano/Latino students. Lastly, Chapter Seven contains conclusions and suggest future research.

## Chapter 2

### Literature Review

Education is perceived as a means to achieve mobility. If a student works hard and earns stellar grades, it is presumed that s/he will be admitted to a good college and their “American Dream” will become a reality. In theory, anyone, regardless of race or class, can achieve this goal if they work hard and pull themselves up by the bootstraps. The reality is that the American educational system is not structured as a meritocracy. Given this, this study explores if historically marginalized groups have the same opportunities as those of the dominant culture. Further, the study seeks to understand if equal schooling is a myth?

The argument that schools are organizations that maintain social hierarchy and that education serves to replicate the status quo is central to this study. Paul Willis (1977) contended that working class children get working class jobs (Willis, 1977). In contrast, children of privilege, even those with mediocre grades, can end up at institutions like Yale and Princeton (Leon, 2001). Is this meritocracy or social and cultural reproduction? Children of privilege are not judged by their cognitive skills, but rather by their social networks as Bowles and Gintis (1976) affirm in *Schooling in Capitalist America* (Bowles & Gintis, 1976).

Those in privilege have the connections, resources to be privy to top boarding schools and be enrolled at Ivy League institutions. Privilege also facilitates becoming leaders in industry and occupying top-level government positions (Kingston & Lewis, 1990). In contrast, working class people are denied access to certain sectors as a result of their schooling and social networks. Bourdieu (1977) argues that the elite class members

acquire more capital with greater ease than the lower to middle classes (Bourdieu, 1977). Bourdieu further affirms that education replicates social class.

While Bourdieu, Willis, Bowles and Gintis make valid assertions about capital and class inequality this study questions what role race plays in their assumptions. Also, the study seeks to understand how socio-economic status impacts these issues. Again, as Harris (1993) states, “Whiteness is a commodity and being White provides a certain amount of privilege that marginalized groups cannot possess” (Harris, 1993).

While class plays a role in success some assert that “understanding class inequality is fundamentally applicable to comprehending the growing significance of racism in capitalist America” (Darder & Torres, 2004). The importation of African Slaves, the genocide of Native Americans, the Chinese Exclusionary Act, the Japanese internment camps during the Second World War, the deportation of Mexican Americans in Operation Wetback, and other actions have leads us to conclude that race has played a major role in American Society. If we only use class as means to discuss inequality we ignore the racist legacy of the United States, but by simultaneously considering class and race when analyzing education we can better decipher where certain students will ultimately attend college. In general, working class students will not attend elite schools like UCLA; if lucky, they end up attending community colleges. James Anderson (2002) argues that working class children from urban and rural communities of color have historically been shunned from elite institutions (Anderson, 2002). In part, schools that have a large percentage of African American and Chicano/Latino students lack the curriculum to gain admission to a top tier college such as Berkeley or UCLA (ACLU, 1999).

The elimination of affirmative action programs at the UC has led to a sharp decline in African Americans and Chicano/Latinos at the flagship campuses (UCOP, 2001b). These policies have relegated underrepresented groups to lesser selective campuses at Riverside and Merced. While the US Supreme Court decision in Grutter re-enforced Justice Powell's opinion that race can be used as a plus factor ("Grutter v. Bollinger, (02-241) 2.88 f. 3d 732 affirmed," 2003; "Regents of the University of California v. Bakke 98s Ct. 2733," 1978) has any positive change occurred for African Americans and Chicanos/Latinos or does merit now mask racism?

### **Hiding the Politically Obvious**

In *Hiding the Politically Obvious: A Critical Race Theory Preview of Diversity as Racial Neutrality in Higher Education*, my colleagues and I challenge the notion that Michigan and Grutter were a victory for affirmative action in higher education. We are critical about what colleges and universities have done to increase student of color enrollment since Grutter v. Bollinger and Gratz v. Bollinger. We contend that even though Grutter allows the use of affirmative action, higher education has failed to take on this challenge (Jimenez Morfin, Perez, Parker, Lynn, & Arrona, 2006). More than anything Gratz and Grutter allowed higher education institutions to engage in symbolic affirmative action measures that appear as diversity measures, but are instead, race-neutral when one examines the ongoing decline of students of color at universities (Jimenez Morfin, et al., 2006). Moreover, where is the commitment from the UC leadership?

In the fight for equal access we see the University of Texas re-implementing affirmative action policies in their higher education admissions process, but at the same

time the University of California decided not to follow suit (Atkinson, 2003). Even though the Hopwood decision was a huge setback for the University of Texas; with the University Michigan Supreme Courts case in Grutter, the leaders of the University of Texas acted quickly in re-implementing affirmative action. Unfortunately, Richard Atkinson and the UC leadership chose not take action. As such this brings into question where the institutional leadership and commitment to diversity lie at the UC?

The UC Regents were first to rescind affirmative action in the admissions process and the results were drastic drops in African American and Chicano/Latino representation at UCLA, San Diego (UCSD) and Berkeley. In the aftermath of the Grutter decision, UC President Richard Atkinson, had the opportunity to fight for the re-implementation of affirmative action, but instead he said he would follow the guidelines of Proposition 209 (Atkinson, 2003). Since retiring, Atkinson has been a vocal supporter of affirmative action, but when he had the opportunity to make transformative change as President, he did very little. Still, regardless of who supports affirmative action, these issues become moot if students don't meet the eligibility.

Stratification goes beyond higher education and as such secondary curriculum must now be considered along with understanding what is valued in these schools and what type of environment are teachers and administrators creating. To better comprehend these issues it is necessary to review the evolution of the sociology of education with regards to stratification, race, and their connection to achievement and failure in schooling for people of color. This chapter will review the literature surrounding issues of access, equity, capital, and reproduction in education. Social and cultural reproduction discourse explains the importance that the latter plays in the schooling of students of

color. In part, this also explains student resistance and the struggle for social change in education.

### **Education for Empowerment**

In *Youth Identity and Power*, Muñoz (1989) asserts that schools in East Los Angeles do not provide students with a proper education (Muñoz, 1989) and with many of the teachers being Caucasian, Chicano/Latino students felt that the teachers weren't vested in them. As a result students walked out of several East Los Angeles high schools in 1968 (Muñoz, 1989). Known as the East L.A. Blowouts, what seemed like chaos to some was positive change for students (e.g., change in curriculum to help students relate).

The East L.A. Blowouts showed that collective action against authority was a must for social change. In this case, social change meant a new environment where students felt cared for. More than just wanting to relate to the curriculum, students wanted to be prepared for college; something that is still an issue. Urban schools face a different challenge as they are being prepared for blue collar work instead of college. According to Paul Willis this means that working class kids get working class jobs (Willis, 1977). Using Willis' frame of analysis, working class students are needed to maintain the working class in order to sustain the economy (Willis, 1977); or rather to maintain the status quo.

### **Unequal Schooling**

Willis, Bowles, and Gintis contend that in order for capitalism to flourish it needs a working class. Further, to accomplish this is necessary to have an unequal allocation of resources in schools. Adding higher education to the equation, we can assert that

students who attend low income racially segregated urban schools have less of a likelihood of being admitted to UC campus (Martin, Karabel, & Jaquez, 2005; Teranishi, Allen, & Solorzano, 2004). This is due to the lack of courses that make students competitive with students who attend suburban schools. African American students from Inglewood High School, an urban school in Los Angeles County in which many of its students are from low Socio Economic Status (SES), may be denied admission to universities like UCLA for a multitude of reasons including lack of Advanced Placement (AP) courses. In contrast, a student who attends a high SES high school, may gain admission to a place like UCLA given the amount of AP courses in the curriculum (ACLU, 1999). This not only affects college choice, but future outcomes for low SES students.

### **Bowles and Gintis and Schooling in Capitalist America 1976:**

During the seventies a renewed interest emerged about how schooling affects a society. Scholars such as Foucault, Bourdieu, and Willis presented theories of cultural and social capital and how this leads to reproduction (Bourdieu & Passeron, 1977; Foucault, 1977; Willis, 1977). These theories help us conceptualize the role of education in society. One of the works that became instrumental during this time span was that of Herbert Bowles and Samuel Gintis' *Schooling in Capitalist America*. Bowles and Gintis substantiate their claims about inequality and schooling designed to enable capitalism by using numerical data that class inequality is perpetuated from generation to generation by class-linked differences in family and in the schools (Bowles & Gintis, 1976). Consequently, cognitive ability was a minimal variable in the years of schooling and

economic success (Bowles & Gintis, 1976). They both felt that schools were not about meritocracy, but rather about social relations and while cognitive ability is important for acquiring knowledge, factors for success lay elsewhere such as cultural capital.

Bowles and Gintis (1976) argued that schools are meant to prepare people for the workplace. The lessons that are learned in schools provide skills that are expected to transfer to the workforce.

One of the ways schools accomplish indoctrination to the workforce is through the *corresponding principle*. Under this principle, schools set a culture of social interactions and individuals are rewarded if they replicate the workplace (Bowles & Gintis, 1976). This system does not reward high achieving students who question or challenge their education, but rather it rewards obedient students who sit quiet. It is this type of system that turns obedient students into obedient employees. This begs the question, “Is education about academic excellence or social conformity and also, what role does family SES plays in all of this?”

Those who have economic advantages pass their privilege to their children and descendants via the ability to advise and send their children to schools with bountiful resources. This is indicative of how wealth and privilege maintains social hierarchies and influence in certain spaces (e.g., admissions). A legacy admission guarantees children of elites, regardless of grades and academic ability, an assured a slot at an elite college such as Yale or USC. In short, legacy admissions “are not what you know, but whom you know.”

For students that cannot rely on legacy admissions or family influence, this is problematic. The situation is further intensified when we speak about the children of farm

workers or of the service sector . For these types of students, irrespective of having the grades to attend an elite school, they are often forced to attend a regional college (e.g., Sonoma State, Fresno State, etc.). Not to disregard the benefits derived from attending a regional college, but it does not carry the same prestige as an Ivy League or UC education. Consequently, how do students of color fare in this paradigm?

Gary Orfield (1978) states that one way schools can alleviate issues of unequal education is desegregation of the schools (G. Orfield, 1978). While this does not resolve the issue of influence, in theory it creates the opportunity for students of color to attend schools with resources like an AP curriculum. To accomplish this task he urges school bussing. Although this enables the integration of children from diverse backgrounds, this does not settle the issue of schools being sites of cultural and capital reproduction. Teachers may still not have a vested interest in students and administrators may still harbor racial prejudices. So, does a desegregated school mean integrated classrooms?

### **School Within a School**

Solórzano and Ornelas (2002) discuss the school within the school issue, which is the situation in which desegregated schools have multiple curriculums (Solórzano & Ornelas, 2002). A school within a school could encompass offering access to college preparatory courses to select students and stratifying others to vocational courses. More often than not, students of color are stratified into the vocation courses track. In general, students of color ascribe to the culture of obedience and discipline. At schools primarily serving students of color, this translates into an environment of discipline and suppressing students who question or challenge authority. In general, at schools primarily

serving privileged and influential students, there is an environment of open systems and freedom of thought. Here, students are encouraged to contribute ideas and think independently within the mandatory and enrichment (e.g., art, music) classes.

School structures, for students of color or students of privilege, are not accidentally constructed. So are school structures in place to further privilege to the advantaged and provide vocational training to students of color? Moreover, why it is that working class and people of color don't protest the educational structures. Bowles and Gintis (1976) argue that working class parents understand that obedience and submission maintains stable jobs in the workforce (Bowles & Gintis, 1976).

The history of the United States has witnessed groups pitted against each other to prevent the formation of coalitions. For example, the discontent of working-class Caucasians toward African Americans and Latinos in the workforce often results in Caucasians instigating quarrels between these two groups. Much of the discontent from Caucasians is due to the perceived competition for the same employment and educational opportunities. Bowles and Gintis fail to fully consider cleavages like this within the working class.

The major deficiency of Bowles and Gintis and other authors who use a Marxist paradigm is the lack of discourse about race. These authors use class as ethos when examining inequality. Race as a factor helps explain exclusion of African Americans and Chicanos from college preparatory curriculum and the obstacles encountered to gain admission at elite public universities like UCLA. *The Culture of Wealth* argues that minority parents care about their children's education; so we investigate.

## **Culture of Wealth**

Parents want their children to have a better life. The lack of agency Bowles and Gintis assume of parents is not always true. I argue parents do want the best for their children, but some are unable to vocalize that due to obstacles like language. Tara Yosso (2005) argues parents take their children's education extremely seriously (Yosso, 2005).

## **Tara Yosso and Critical Race Counter Stories**

*Critical Race Counterstories along the Chicana/Chicano Educational Pipeline* (2005) by Yosso, refutes the notion that parents don't care about their children's education. She argues that issues of educational attainment and progress are important, and that "White privilege" must be assessed in these discussions (Yosso, 2005). Furthermore, she affirms that Chicano parents care about their children's education and success. This support becomes important if we acknowledge that "White privilege" hinders educational upward mobility.

Yosso (2005) contends that 'White Privilege' is a system of advantage resulting from a legacy of racism that benefits individuals and groups based on the notion of whiteness. Whiteness intersects with other forms of privilege such as gender, class, language, sexuality, or immigrant status. As such, Yosso puts forth the following questions to explore the Chicano educational pipeline: how do racism, sexism, classism, or other forms of subordination shape the Chicano educational pipeline; how do schools and educational structures maintain race, gender, and class-based discrimination; how do Chicanos respond to racism, sexism, classism and so on in education; and how can education help end these forms of subordination (Yosso, 2005).

This issue is very complex and must consider race and class as well as other variables. For example the geography of where students come from must be considered. The Chicano experience in Los Angeles is different from the experience of this same group in the Central Valley of California. Still, the educational resources and the consequences of these resources yield a similar result which is that these students as a community are not competitive in gaining admissions at highly selective UC campuses. Therefore it is important to consider if schooling is a function of reproduction in which working class kids end up in working class jobs.

### **Willis and Learning to Labor**

In *Learning to Labor: How Working Class Kids Get Working Class Jobs*, Willis (1977) discusses the plight of Lads and the Ear Oles; two groups of working class students from a proletariat high school in England. The Lads reject their curriculum and view schools as not relating to their needs (e.g., workforce training). They reject the system and revolt against the teachers. The Ear Oles see school as the opportunity for upward mobility and that if they learn obediently then they will be rewarded.

The resistance by the Lads is an exercise of agency and at the same time a solidification of their position in society. The irony in all of this is that the Ear Oles suffered a similar fate. Thus, regardless if people resist or conform they will reproduce their social standing in society.

To examine Willis' assertions in a closer light, it is paramount to view his notions of reproduction, resistance, and agency. Willis argues that reproduction is inevitable in schools. The function of working class schools is to generate a workforce for factory

owners. This point of view carry's some validity, but it has some flaws if we try to incorporate it in modern day America. First and foremost, where is the factory located? When Willis wrote his ethnography in the seventies, he made the assumption that working class students would end up with blue-collar jobs. Within the context of present-day America many paradigm shifts have occurred that puts into question some key assertions here.

### **Willis and Modern Day America**

After World War II; America experienced a huge economic expansion where a college degree was desirable, but not necessary for financial stability or mobility. A high school in the Michigan, similar to Willis' would send their graduates to the General Motors plant in Flint, MI. Despite only having a high school diploma, these students were able to sustain a middle class subsistence. With globalization, this is no longer the case. With manufacturing plants moving to developing countries, the once stable factory job is a thing of the past. This reality was brought to light to large audiences by filmmaker Michael Moore.

### **Globalization and The Working Class**

In the 1987 film *Roger and Me*, filmmaker Michael Moore chronicles the closing of the General Motors (GM) plant in Flint, MI and how this resulted in many working class Americans losing their jobs. GM found it could increase profits and reduce costs (Moore, 1989) by moving jobs to developing countries. As such, thousands of blue collar Americans lost their jobs and many Midwestern auto manufacturing towns have yet to

recover. With the ongoing decline of manufacturing labor force in the United States and with the current economic crisis, it seems that any hope of upward mobility has been severely compromised.

With the diminishing role of factory labor, the options for proletariat youth today are much bleaker in the present than in the seventies when *Learning to Labor* was written or in the 80's when *Roger and Me* debuted. Today, finding a good job with a high school diploma is slim. A critical race mode of analysis, tells us that African American and Chicano/Latino students have an even slimmer chance of finding employment. While Willis' notion of working class jobs is outdated, his qualitative study is still a valuable for reproduction discourse.

### **Challenges to Willis**

By being deviant, the Lads lost any hope of using the schools to work for them. Consequently, their mischievous behavior led them directly to the factory. If we follow "this" notion then resistance is destructive. Moreover, the agency the Lads invoked created an environment that will not assist them, but rather replicate their standing in society; something that is not always true. The East Los Angeles Blowouts of the 1960's showed positive outcomes that social action can produce (Muñoz, 1989). Further explanation is provided by Solórzano and Delgado Bernal who show resistance in diverse forms.

## **Solórzano and Delgado Bernal's notions of resistance**

In *Examining Transformational Resistance through a Critical Race and Latcrit Theory Framework: Chicana and Chicano Students in an Urban Context*, Solórzano and Delgado Bernal examine the construct of resistance. The authors critique Willis and others for their negative depiction of schooling (Solórzano & Delgado-Bernal, 2001). “We assert that for too long, researchers have focused on the self-defeating resistance of working-class students without acknowledging and studying other forms of resistance that may lead to social transition” (Solórzano and Delgado Bernal, p. 310). The authors contend popular literature on reproduction only focuses on the negative aspects of resistance. The authors assert that resistance or oppositional behavior comes in different forms and is more complex than has historically been portrayed.

The four forms of resistance that the authors put forth consist of: reactionary behavior, self-defeating resistance, conformist resistance, and transformative resistance (Solórzano & Delgado-Bernal, 2001). In reactionary behavior, the student behaves mischievously in class and or in the schoolyard, but with no critique about their social conditions that would contribute to this behavior. Self-defeating resistance resembles the resistance that the Lads undertake in *Learning to Labor*. In this case, students may have some understanding of the social processes against them, but engage in a behavior that recreates oppressive conditions like dropping out of high school. The student understands the social processes surrounding schooling, but chooses to drop out and neglect their options for upward mobility, this is more in line with the work of Willis. In conformist resistance, students in this category are motivated by the need for social justice; yet hold no critique of the system of oppression. These students want to improve their life

chances for themselves and others, but if they fail, they will blame themselves, their family and their culture for their negative social condition (Solórzano & Delgado-Bernal, 2001). The last notion put forth is transformational resistance. This is categorized as resistance where students hold some awareness and critique their oppressive condition and structures of domination that are associated with it. An example of this could be the student who fights racism and class inequality in their schooling, goes to college, and uses education to combat inequality. This can be done in various forms that range from the political activities to school teacher. Thus, resistance is not always negative.

Resistance, in the forms that Solórzano and Delgado Bernal put forth, gives us hope that students have the will and power to resist. Resistance can take place in multiple forms and sometimes the student with reactionary behavior can also be transformative. We must recognize that students are dynamic and in constant metamorphosis. Yet, where teachers are not open to critiques, this might be perceived as disruptive behavior. In order to better understand the complexities of such actions and how these play out in education, I examine the issues of capital, agency, and how these relate to schooling.

### **The Study of Capital, Agency and Habitus**

Agency is the personal will or motivation to succeed based on the current paradigm one finds himself in (Bourdieu, 1977; Giddens, 1984; H. A. Giroux, 1983). Such as the agency a student has in graduating high school and going to college. Even though individuals may have agency, Bourdieu argues that there are structures that can impede the agency of the individual. For example a working class student is not likely to

achieve elite status due to the social structures in place. Hence, they may reproduce their social standing (Willis, 1977).

Cultural capital is the attributes a person possesses and how valuable these are in society. Social Capital refers to attributes of a groups and the value given by society. For example, being the child of a doctor. In this regard, social and cultural capital can reinforce positive reproduction. Cultural capital empowers, but at the same time for those who don't have it may have to overcome certain obstacles. For example, a working class child who is interested in Renaissance art might be able to go to the public library and check out books on Michelangelo. In contrast a child of privilege may have the capital and the resources via their parents to visit Italy and see the artwork in person. No matter how much interests the poor student has, he does not have the capital or social networks that would enable him to be of the same status as the child with resources. Moreover, how does cultural capital assist those who would like to pursue higher education at elite public universities?

### **Cultural Capital and the University of California**

When we look at the UC and particularly at UCLA, UC San Diego, and UC Berkeley, the average incoming student has exceptional grades, with GPA averages that sometimes exceed a 4.0. With UC giving extra weight to grade point averages for student who enroll in AP courses, students who take advantage of these AP courses are successful (UC, 2004). If they apply to a UC they are more likely to gain admission. There is also the added fact that due to the tough admissions standards, these students are

probably admissible to other elite universities. If this is the case, do students who don't come from these backgrounds have an equal chance of being successful?

In poor urban schools, there are extreme inequalities in the number of available AP courses (ACLU, 1999). Unfortunately, African American and Chicano/Latino students primarily attend poor urban schools and are victims of these circumstances. So how do they stand a chance of being admitted to UCLA if the resources to be competitive are absent? Even though this dissertation solely focuses on the outcomes of students who applied and were admitted to UCLA in a post affirmative action era, it is important to ponder how such advantages in the curriculum may have an impact on who gets in and who is denied.

It is not coincidental that schools that serve the children of the elite have greater resources available to them. These are the kids who will be granted access to the UC schools. For the student who beat the odds and makes it to UCLA, it can be said that they will encounter new obstacles. Even though by economic definition they might be considered working class, the cultural capital that comes along with the degree will put them in a different category. The cultural capital that is attained with a UCLA degree enables the student to navigate foreign paradigms. The habitus of the student no longer confines them to their local community. The indoctrination may result in them being welcomed, sometimes reluctantly into a new community. Nonetheless the capital acquired will open new opportunities for such students

Using Bourdieu's theories of capital, it can be suggested the student's acquisition of the appropriate cultural capital enables access to new social structures. An example of this would be a student joining the UCLA alumni association. What do the UCLA

alumni association and social capital have in common? An alum of UCLA has access to social networks that will allow for upward mobility; especially when certain jobs are restricted to UCLA alumni. The social and academic networks might also allow them access to graduate schools such as Princeton or Yale. This may be due in part through the graduate and professional school admissions process, the institution from which the students graduate from often plays a significant role if he or she is admitted to an elite school. An example of this is a UCLA graduate being admitted over a graduate who attended lesser tier institution (Schmidt, 1997). Unfortunately, this brings up issues of “blame the victim”. Some may argue that such students are not being admitted to UCLA for a multitude of factors such as work ethic and the families that they derive from. The Coleman Report of 1966 is a prime example of this.

### **Blame the Victim?**

When examining contemporary issues in society, the Coleman report of 1966, serves as a monumental testament for the *Black condition in America*. In his report, Coleman contends that there are very little differences in funding, teacher training, and class size in black and white schools (Coleman, 1966). He argues that the fault for student achievement does not lie with schools, but rather with the family (Coleman, 1966). He found that Black children were years behind Whites in educational attainment and this gap were furthered widened by high school. Furthermore, he blamed the victim for inequality rather than organizational forms of discrimination such as unequal schools.

What Coleman fails to acknowledge is that African Americans were slaves until the end of the Civil War, and with the new age of Jim Crow state sponsored segregation

and the miss-education of blacks in the South (among other factors) did not provide equal access to education. To blame the victim for their oppression is troubling. The lack of equal education and racism that African Americans have encountered has been chronicled (Anderson, 1988). Still, reports that blame the victims becomes the explanation that many take as gospel.

For example, the Moynihan report of 1965 was an assault on the “*Negro*” family. This report blamed the breakup of the *Negro* family as the cause for the startling increase in welfare dependency. Moreover, the report argued that the absence of *Negro* males and having women lead households seriously retards the progress of the group. Moynihan asserts the absence of the male in the *Negro* family will lead *Negro* children without fathers to go astray (Moynihan, 1965). Racism aside, the Moynihan report more bluntly reinforces Coleman’s notions.

What needs to be questioned is if Moynihan ever felt that household led by White female households cause deviance in White children? All families regardless of background have family support units that go beyond the father and mother as Yosso articulates. Moreover, it becomes important not to dismiss the role that schools take in educating minority students. As such it becomes vital to examine on how schools function in society and how they contribute to the reproduction of society

Poverty and race assertions based on simplistic explanations, without examining historical exclusion of opportunities and access based on race, are problematic. Scholars such as Coleman, Moynihan, Jenks (Coleman, 1966; Jenks, 1972; Moynihan, 1965), and Wilson (Wilson, 1978) examined race and class using a black and white paradigm. Even though it is important to note the inequality experienced by African Americans, it’s just

as crucial to put forth that America is a nation that has other marginalized communities. Latinos comprise the largest minority group in the country (Census, 2001), but until recently very little literature has been dedicated to their social condition in mainstream outlets. Moreover, their representation has traditionally been well represented in states such as California, Texas, New York and Florida. Even though scholars such as Barrera and Almaguer, have discussed this condition, their concerns may be construed as marginal in the mainstream discussion on inequality (Almaguer, 1994; Barrera, 1988).

Chicano/Latino inequality dates back to the Mexican American War (1848) and the Spanish American War (1898). In addition, the Lemon Grove case (1931) fought and won the desegregation of Mexican American children in Lemon Grove, CA and was a precursor to *Brown vs. the Board of Education* in 1954 (Kellman, 1986). By looking beyond the traditional minority communities, we observe that Asian Americans are another critical mass of individuals that have been ignored in the debates on access and equity. As such, how do these inequities relate to issues of access at the UC?

### **UC and the Diverted Dream**

In the *Access Crisis in Higher education*, the authors argue on how proposition 209 had an adverse impact on low income students who derive from underrepresented groups (Gandara, et al., 2005). The authors argue the need to be more inclusive to students who are low-income and come from underrepresented backgrounds. The authors further contend if California voters would have known the impact of proposition 209, they may have voted differently. Although compelling, there are two issues that I would respectfully counter.

The assertion that many California voters voted for Proposition 209 without realizing their vote would make the dream of attaining of higher education much harder to those who come from underrepresented racial backgrounds seems to ignore the historical legacy of exclusion of the past. In the previous chapter we observe a pattern on how access to all forms of education to marginalized communities has been elusive in California. From the creation of the UC to Bakke, there is evidence that suggests marginalized communities have been placed on the periphery from those in the dominant culture. I find it very doubtful that the plurality of voters who voted for proposition 209 would have been swayed by the rational that the authors put forth. Linda Chavez, *In the Color Bind*; argues that racial cleavages were in play in during this time period (Chavez, 1998). It also becomes important to consider if voters really make decisions for the betterment of society?

By using a critical race theory frame of analysis, it is it very difficult to conceptualize that the electorate of California would vote against their perceived self interests. During this time opponents of affirmative action felt such programs would reward race rather than merit (Bolick, 1996b). It can be suggested that many in the dominant culture felt that Black and Latino students who were being admitted into the UC were not deserving of their space. Opponents like Ward Connerly suggested that White and Asian applicants who worked very hard, earned the top grades and test scores were denied a space to “elite” UC campuses in order to admit those who were less qualified (Chavez, 1998).

This perception was very self evident in the Bakke case of 1978. At the end, its self preservation that individuals value when making such decisions. During the

Proposition 209 debate, it was rarely mentioned that most African American and Latino students that were admitted into the UC met the UC eligibility requirements. In contrast, students from these populations were made to feel that they were not worthy of admissions to places such as UCLA. Critics of affirmative action felt that they were undeserving beneficiaries. It also becomes important to note that during this time period in California, two other propositions passed that could be perceived as insensitive at best and discriminatory at worst. As such it brings to question if educating the voters really makes a difference when many in the electorate may already have pre-conceived notions?

Proposition 187 (1994), prohibited illegal immigrants from accessing social services, health care, and education and Proposition 227 or “the English Only Initiative” eliminated the use of bilingual instruction in public education. These two particular propositions were perceived as targeting the Latino community. Even though there was grass roots mobilization that drew attention on the racist undertones of these propositions, both propositions passed easily. As such, it is doubtful that Proposition 209 would have not passed if the initiative would be better explained to voters. There is strong evidence that suggest a racial backlash for underrepresented communities during this time in California (Chavez, 1998). As such, it is not surprising that proposition 209 passed. As a result, the passage of this particular proposition the number of admitted African American and Latino students at the most selective UC campuses plummeted. During this time, research chronicled the tectonic shift of representation of Chicano/Latinos and African American within the UC system (Karabel, 1999; G. Orfield & Miller, 1998). One article that merits discussion is Geiser and Caspary “*No Show*”: *College Destination of University of California Applicants and Admits Who Did Not Enroll, 1997-2002*.

In Geiser and Caspary article *“No Show”*: *College Destination of University of California Applicants and Admits Who Did Not Enroll, 1997-2002*, shows us a glimpse about students who went to school elsewhere. The authors argue that the top Black and Latino students who are denied access at the top tier UC campuses of UCLA and Berkeley have a higher probability of not enrolling at other UC campuses compared to other students (Geiser & Caspary, 2005). Even though as a proportion; most top students regardless of race do chose to enroll a campus of the University of California, the authors note that top private universities like the University of Southern California and Stanford University are very aggressive in targeting Black and Latino students (Geiser & Caspary, 2005).

Even though this article does an effective job narrating the issues that affect underrepresented students and shows data that describe trends of students that came from traditional and “underrepresented” communities, the way the data was presented could be perceived as misleading. In order to fully conceptualize on what transpired to African American and Chicano Latinos after SP1 and the passage of Proposition 209, it is extremely critical to desegregate that data based on membership to particular groups. Geiser & Caspary place these two populations under one category; “underrepresented”. This categorization is problematic for a multitude of reasons that brings into question the validity of their findings.

In order to fully comprehend the severity of the drop of underrepresented students at the UC most selective campuses, it becomes important to comprehend how the drop of admissions has affected African Americans and Latinos individually. By putting both groups under one category, it dilutes the special circumstances and characteristics that are

unique for members of these two communities. As stated earlier, California is one of the most racially diverse states in the United States. Latinos comprise 36.2 percent of the population, while African Americans comprise 6.7 percent of the population (CENSUSBUREAU, 2001). Consequently by putting both groups together, it dilutes the unique problems that African Americans may encounter by the elimination of affirmative action at the UC.

With such a large percentage of Latinos in the state, it is conceivable that universities like UCLA can recover from a drop of students from this population. As such, universities can make claims that they are making “real” progress, when in reality they have done very little to address the inequities in the admissions process. With the population of African Americans being significantly less than of Latinos, their needs have to be addressed separately since they are unique.

With African Americans being 6.7 percent of the population, universities cannot be as slick in misrepresenting their data as it relates to this community. Moreover, it also becomes important to examine what is the Socio Economic Status (SES) of both communities. This is a valuable tool to examine which students are more likely to gain access. Without having the data broken down by subcategories, many assumptions can be made that can possibly hinder vital and dilute statistical outcomes for member of this community. Geiser & Caspary should be commended for the wealth of information they put forth, but future data needs to be disaggregated in order to stop the urge to make broad and general assumptions. In order to fully comprehend admissions at UC, it becomes important to put forth the perspective of one who has been actively engaged in the admissions of students.

## **The Admissions Game, a Glimpse of Admissions at UC Berkeley**

Throughout this literature review, the conversation has centered on theories of reproduction, social class, and critical race theory. Though these theories give a glimpse on the condition of underrepresented minorities in society and the realm of education; it becomes important to examine their condition in California's higher educational system. In Bob Laird's book; *The Case for Affirmative Action in University Admissions* he chronicles on what has transpired at Berkeley. As an admissions officer for twenty five years in which he served as Director of Admissions for twelve years, Laird lays out how Berkeley has dealt with admissions issues. Some issues that arose are how a highly selective university like Berkeley has to turn down many applicants who meet the criteria for admission. Laird contends that this is due in part to exuberant amount of applicants that Berkeley receives (Laird, 2005). Laird further argues that some students have an unfair advantage over others in the selection process. According to Laird, some students have large opportunities for AP courses and have taken college level courses in their community colleges, as such they have an unfair advantage to students who may not have access to many AP courses or have discretionary time to enroll at a community college as a high school student (Laird, 2005). In addition to the AP dilemma, Laird also discusses issues of affirmative action.

Laird conveys that affirmative action programs bother some individuals who feel that university admissions should be based on merit rather than race. He counters by conveying that rather than eliminating affirmative action, there is a need to remedy the inequities that have led to a need for it (Laird, 2005). The author is critical about how university administrators and the UC Regents have mismanaged admissions policies to

further their political agendas. Even though Laird does a great job in detailing some issues, there are topics that need to be scrutinized even further.

Laird's book provides a snapshot on what issues affects Berkeley in regards to its admissions policy. Even though as a whole, he has done an excellent job in his book, the issue of availability for AP courses for minority students is not fully explored, thus more could have been studied. Laird discusses how AP courses were given extra credit by the University of California Board of Admissions and Relations with Schools (BOARS) in 1984, but he does not fully examine how AP courses may serve as a tool of exclusion for students who don't have access to such courses. Even though his book gives us an in-depth understanding regarding admission at Berkeley, it does not fully explore the admission processes at other UC campuses. Despite making some references to UCLA in his book, Laird provides a great starting point regarding the history of admissions and the policy dilemma that legislators grapple with the changing demographics in California.

Laird, Solórzano, Orfield, Karabel, and others have put forth some issues (e.g. access and diversity) that affect the UC system. It becomes paramount to further explore on how admissions in post affirmative action era affects African Americans, and Chicano/Latinos in attaining access at a premier research one university like UCLA.

### **Where do we go From Here?**

Ironically the attack for access has taken place in states that have a large proportion of minority students. California is a minority-majority state and it is only a matter of time when Latinos will comprise the majority of high school graduates in the state (College Board, 1998) (CENSUSBUREAU, 2001). In 1945, the Hispanic

population in the United States was 2.5 percent; it is estimated that by 2050, the number will increase to 24.5 percent (Suarez-Orozco, 1998). Even though no one can fully predict the population growth of a people, it does lead to a fundamental fact: America is more diverse than ever before. Yet, during this time, we have seen the door of opportunity shut to many students of color.

The discussion of California higher education must encompass examination of inequalities and their remedies. Karabel argues that with the inequalities in California's educational system, class-based affirmative action would do very little to increase the number of minority students to pre SP1 enrollments (Karabel, 1998). Moreover the research of Gándara, Chavez, Solórzano, Delgado, Bernal, and Orfield provide us with valuable direction about where future research is heading. Gandara's discussion about the mobility of low-income Chicanos in higher education is notable because it presents a critical dilemma: how to help educate impoverished Chicanos (Gandara, 1995).

Chavez's work in chronicling what transpired during the proposition 209 campaign leads us to understand what societal and political factors convinced California, a perceived liberal state to end state-wide affirmative action programs (Chavez, 1998). Solórzano and Delgado Bernal have brought out the importance of the various forms in which students resist their oppression and inequities, while questioning if resistance leads to reproduction (Solórzano & Delgado-Bernal, 2001). Orfield has moved beyond researching desegregation and has moved to studies of access in higher education (Orfield, 1998; G. Orfield, 2001; G. Orfield & Kornhaber, 2001). Even though the current research on higher education that is being produced has deepened our understanding of the dilemmas faced not only by African Americans but also by other

groups of students as well. More research is needed to address diverse dilemmas in relation to access, retention and matriculation in higher education.

### **New Scholarship for the 21<sup>st</sup> Century: New Dilemmas or Possibilities?**

As the new century emphasizes issues of race, poverty and inequality, it becomes important to set up a relevant research agenda that also incorporates the inequities in secondary education. Contemporary research focuses on the lack of access to higher education, but vaguely discusses educational barriers, and how it impacts black and Chicano/Latino students in attending selective higher education institutions like UCLA. Even though some preliminary research has been written on this topic, it becomes important to bring forth explicit issues of the availability of college preparatory curriculum in urban and rural schools. Even though this dissertation focuses on the number of admitted students in a post affirmative action era at UCLA, these questions are crucial to ponder in order to further conceptualized why the number have plummeted and what are the root causes.

## **Chapter 3**

### **Affirmative Action and the Courts**

Court cases such as DeFunis and Bakke drew attention to race-based admissions being constitutional (Moses, 2002; Wilkinson, 1979). To further grasp the legal discourse about race, meritocracy, and admissions at the UC it is important to analyze court cases exploring the paradigms of race-conscious admissions in higher education.

#### **Historical Supreme Court Cases**

In Defunis, Marco Defunis, a White male applicant sued the University of Washington on the grounds of reverse discrimination (Moses, 2002). Before the United States Supreme Court heard arguments, the lower courts ordered him to be admitted into the law school (Moses, 2002). When the case reached the Supreme Court, justices felt the issue was moot since Defunis, was a few months away from graduating law school. (Moses, 2002). The US Supreme Court avoided making a monumental decision on the constitutionality of affirmative action in higher education. However, the U.S. Supreme Court was forced to rule on this issue in Bakke in his quest to gain admissions to the University of California at Davis School of Medicine.

Allan Bakke, a White applicant to the UC Davis School of Medicine was denied admission. He felt that he was unfairly denied in order to admit less qualified minority applicants (Wilkinson, 1979). Further, that UC Davis School of Medicine discriminated against him by allocating slots for minority students (Wilkinson, 1979). The numerous court battles ended in a split decision from the United States Supreme Court. The court ruled 5-4 in Bakke's favor (Wilkinson, 1979). Since UC Davis set aside a number of

slots for minority students, the court ruled that the university violated the equal protection clause of the fourteenth amendment of the U.S constitution, ("Regents of the University of California v. Bakke 98s Ct. 2733," 1978; Wilkinson, 1979). As a result, Bakke was admitted into UC Davis School of Medicine.

Even though Bakke won the court case, the opinion of Justice Lewis Powell became the cornerstone for how underrepresented minority applicants would be evaluated for the next two decades. Powell stated that race should not be the only criterion for admission, but one of many in considering an applicant for admission (Dreyfuss & Lawrence, 1979; Wilkinson, 1979). Powell referenced the Harvard College selection criteria as model of how colleges should evaluate applications. He held that using a comprehensive review in which race is one of many factors was a more appropriate way of selecting a student body (Wilkinson, 1979). As a result of his opinion, universities like the UC used his opinion as a roadmap to follow in creating racially sensitive admissions policies that do not incorporate quotas. As such, being a minority applicant would be seen as a plus factor but not the only determinant in a student's admission to college.

For years, universities across the country followed affirmative action programs by using Powell's opinion to achieve racial diversity without incorporating quotas in the admissions process. Some universities who catered exclusively to Caucasians seemed to make efforts to increase access to minority students. However, the Reagan presidency brought a new wave of conservatism that rolled back the commitment of the federal government to promoting the increase of a diverse student body (Anderson, 2002). The success of underrepresented minority students created a backlash against such programs (Anderson, 2002).

## **Twenty Five Years After Bakke**

It has been more than thirty years since the Bakke case and it seems that programs that attempt to increase minority issues in higher education are under attack. In the nineties, top public institutions in California, Florida, Texas, and Washington rescinded their affirmative action policies. As a result, many talented minority students were denied access to their state university. In California, the abolishment of affirmative action was troubling. Unlike Texas, where the abolishment of affirmative action was due to the Hopwood decision of the United States Fifth Circuit Court of Appeals ("Hopwood v. Texas, 78 F, 3d 932 (5th Cir 1996), certiorari denied , 116 S. Ct. 2582," 1996), the UC system had already sent a strong message that affirmative action had no place in the selection of its student body.

The Regents action was bewildering because in 1978 the UC regents were the defendants in the Bakke case. Seventeen years after Bakke, UC commitment to diversity was brought in to doubt. Exclusion to campuses like Berkeley, Los Angeles, and San Diego was troubling. How do we explain this exclusion? To conceptualize California's higher educational system we will explore how higher education functions in California.

## **Master Plan and the University of California**

Higher education in California is stratified into a three tier system as a result of the Master Plan for Higher Education. The Master Plan as it is better known as was established in 1960. It promotes a three tier system of higher education that consist of: the University of California (UC), the California State University (CSU), and the California Community College(CCC)(California State Department of Education, 1960).

The UC has a unique place in the state's public higher educational system. Under the Master Plan, the UC's primary task is to conduct research and it's the only public university that has sole authority to grant doctoral, Medical, and Dental degrees (California State Department of Education, 1960). The CSU's primary role is to provide undergraduate education and graduate and professional education through the Master's degree. Moreover, the CSU's have the responsibility to offer teacher education and to afford faculty research consistent with the primary mission of instruction (Douglass, 2000). The CSU's can only grant doctorates if it's done jointly with a UC or a private institution such as Claremont Graduate University (California State Department of Education, 1960). In Contrast, the primary mission of the California Community Colleges consist of: academic & vocational instruction through the first two years of undergraduate education, remedial instruction, English as Second Language (ESL), adult noncredit instruction, and workforce training services. It can be argued that the Master Plan made the UC the premier university system in the state and the nation as a whole. Moreover, it made Berkeley and Los Angeles top tier public research institutions (UCOP, 2001a). Even though the mission of the Master Plan seemingly incorporates education for the people of California, the reality is that higher education excludes them. As such it becomes important to examine both the Master Plan and how the history of California has affected those who have access or who are excluded from public higher education.

### **A Legacy of Exclusion & Racial Fault Lines:**

In March 15, 1848, *The Californian*, the first English language newspaper in California wrote that they (the newspaper) *desired a White population* (Almaguer, 1994).

These types of sentiments in the middle of the eighteenth century provide a glimpse that inequality in California was not a current phenomenon, but rather a historical one that dates back prior to the Chinese Exclusionary Act of 1882 (Almaguer, 1994). Moreover, there is also evidence that suggests California's higher education institutions were never meant to educate the masses, but rather instruct the elite.

### **The Morrill Act: Access for all, or for the few?**

Legislation such the Morrill Act of 1862, which established the land grant college for the public good provided the opportunity to provide higher education to many who would have otherwise not be privy to higher education (Douglass, 2000). However, this was not the case in California. California did very little to provide education to the majority of individuals who would have benefited from the Morrill Act. Even though the Morrill Act created land grant colleges, the founders of the UC did not intend to follow the doctrine and the spirit of the act.

One of the provisions of the Morrill Act, is that it stipulated the creation of colleges in agriculture and engineering in order to educate and open up access to individuals who would otherwise not have access to a college education (Douglass, 2000). In contrast, the founders of the University of California wanted a university that would teach the classics, in order for their children be privy to a top tier education without having the need to send them to elite colleges of the east coast such as Harvard or Yale (Douglass, 2000). The founding fathers of the UC were not interested in opening access to the university for the people of California, but rather they wanted to maintain the status quo; in which the elite would be educated. Over one hundred and fifty years

have passed since the creation of the University of California and it seems that this institution has done little to increase access to marginalized communities. As such, we need to consider how the legacy of exclusion from the university continues to be a pervasive norm. History suggests that the University of California, since its inception, did not want to educate the people of California, but rather educate the elite. This was further evident with the retreat from race in the 1980's for Asian Americans.

### **The Retreat From Race**

In Dana Takagi's book, *The Retreat from Race*, she chronicles the debate of Asian American admissions at UC Berkeley, UCLA, Harvard, Princeton, Brown, and Stanford. In her book, she explores the reconstruction of the debate over affirmative action and how the conservative challenges to the civil rights agenda of the 1960's resulted in an era where class rather than race started to take priority. She describes this as a retreat from race (Takagi 1992); she further explores how the reconstruction of the debate over affirmative action as one of class affected on how Asian Americans was perceived in relations to other underrepresented groups. As a result, it was alleged that Asian Americans were falling victims of affirmative action policies that favored African American and Chicano/Latino Students (Takagi 1992). Takagi's book is important because it describes major cleavages that occurred with Asian American with other underrepresented groups. Moreover, with the competitive nature of admissions at the nation's premier public and private universities, we examine how conservatives used this schism to create rifts with communities who have been united since the Third World Strikes of the 1960's.

If we used a critical race theory frame of analysis we can deduce that by preferring class based affirmative action over race, it disregards the historical exclusion of communities of color in the United States. Also, Takagi shows how institutions of higher education, particularly the University of California, tried to minimize their representation of certain communities based on their racial identity in preference of other groups. In the nineties the elimination of affirmative action by the UC Board of Regents in Special Resolution 1 (SP1) provides more ample evidence that race continues to be under attack and the university has retreated from race.

### **California and Access to Higher Education**

The UC Board of Regents voted in 1995 to eliminate affirmative action in its undergraduate and graduate admissions, which resulted in a drastic drop in the admission of many highly talented African Americans and Chicano/Latino students at the top tier UC campuses of Berkeley, Los Angeles, and San Diego (Burman, 1998; Chavez, 1998; Kane, 1998) . It can be argued that the Regents' action in 1995 caused many talented minority students to attend less selective UC campuses; if they even attended (Geiser & Caspary, 2005). Also, this decision had the effect of enabling Caucasians and Asian American community's access to most selective UC schools while stratifying African American and Chicano/Latino communities into less selective UC schools; if there was access for them. Data from the University of California office of the President (UCOP) suggests this may have been the case.

African American and Chicano/Latinos students decreased at UCLA, UC Berkeley, and UC San Diego respectively, while their numbers rose at less selective

campuses in Riverside and Santa Cruz (UCOP, 2001b) The data from the UCOP suggests the highest representation of students from these two populations are being seen at lesser selective UC campuses in comparison to years before SP1 was passed when there was much more diversity across all UC Campuses. To further expand on the notion of exclusion that Almaguer puts forth, and what the admissions data suggests; it becomes important to explore how issues of access to higher education may be part of a bigger issue. We must also consider the role of “White privilege” specifically within the higher education system as this goes hand in hand with the mission of access. Some may suggest that ‘Whiteness’ equates with privilege. The history of underrepresented minority education in America reveals that being African American or Latino in America has resulted in receiving an inferior education (Anderson, 1988) (Macleod, 1995) (Muñoz, 1989).

### **Race Dichotomy**

In *Whiteness as Property*, Cheryl Harris contends that legal and social-political history affirms that White/Anglo/Caucasian privilege has been prevalent throughout America’s past. Furthermore, it affirms that this has contributed to the exclusion of communities of color (Harris, 1993). Harris argues that slavery and the seizure of land from Native Americans were not a result of ignorance or ethnocentric themes, but rather by laws that protected the property rights of Whites (Harris, 1993). Furthermore, that Whiteness is simultaneously an aspect of identity is used as property to fulfill the will and exercise power and domination of subordinate populations. According to Harris, power is exerted by race.

Using Harris' definition of Whiteness as property, does Whiteness equate with racial privilege in higher education? Though controversial, this may explain various factors. For example, elite institutions (e.g., Harvard, Yale) were created to educate children of the elite in American society; who for the most part are White (Douglass, 2000). By incorporating Whiteness as property we see how these institutions replicate the social, cultural, and political hierarchy that in turn perpetuates Whites privilege. Similarly, the Morrill Act of 1862, primarily benefitted White Americans .

Even though the intents of the Morrill Act were a noble it did not turn a blind side to race. However, it marked one of the first shifts in American Higher Education by theoretically enabling all to gain access to a four-year university. In reality, many citizens continued to be excluded on the basis of race. Southern flagship schools like the University of Mississippi and the University of Alabama continued to exclude African Americans until the middle of the twentieth century (Thelin, 2004). Still, while the Morrill Act opened access to higher education, the Servicemen's Readjustment Act of 1944 or the GI Bill was one of the initial affirmative action programs that promoted access to education to all active duty Armed Forces people regardless of their background.

The GI bill which was enacted during the Second World War was an opportunity for active duty US Servicemen to achieve higher education with help of the US government. This opportunity enabled working class soldiers to move up into the middle class. It also provided a vehicle for the nation to increase an educated workforce. Still, many in the higher education community worried that the quality of students would be compromised if these student veterans entered the ivory tower. University of Chicago

President, Robert M. Hutchins, believed that the GI Bill was a threat to higher education that would compromise quality (Bennett, 1996). This doubt raised the question if higher education would ever embrace the lower economic class. It also questioned if diversity in higher education would be attainable. In addition, critics of the GI Bill realized that their concerns were mostly unfounded and showed resistance in creating social and political change in higher education. Understanding equity was not exclusive to higher education; it was also waged in school houses across the nation; particularly in Topeka, Kansas.

### **Minority Education and the Struggle for Opportunity**

The issue of access to education came to the forefront in the *Brown v. Board of Education* decision of 1954. The United States Supreme Court ruled that separate but equal schools were unconstitutional under the fourteenth amendment of the United States constitution ("*Brown v. Board of Education* 347 U.S. 483 (1954)," 1954). Even so it took presidential interventions to expedite civil right to marginalized communities (Bok & Bowen, 1998). With Supreme Court rulings and executive orders signed by Kennedy and Johnson access to the ivory tower was still not the norm. In California, the struggle for access began at San Francisco State University and UC Berkeley in the late sixties.

### **The Plight for Equal Access in California**

In California, the Third World Strike by the Third World Liberation Front (TWLF) at UC Berkeley and San Francisco State University in the late sixties forced higher educational institutions to make more concerted efforts to meet the needs of people of color. TWLF demanded open access for marginalized communities and courses

relevant to people of color. Even more vital, TWLF ushered the establishment of outreach and affirmative action programs at university's in order to increase the representation of African Americans, Chicano/Latinos, Native Americans and Asian Americans (Muñoz, 1989). Forward to the 21<sup>st</sup> century, very little has changed

It can be argued that Defunis and Bakke use "Whiteness" as a cause for revolt towards students of color at elite public universities. Their lawsuits against the University of Washington School of Law and the University of California at Davis College of Medicine demonstrate how "White" privilege can be used in reverse discrimination cases. In both instances, the applicants were denied admission and sued to be admitted. The significance here is arguments that admissions policy's favored minority applicants and were discriminatory ("*DeFunis v. Odegaard*, 416 U. S. 312 (*per curiam*)," 1974) ("*Regents of the University of California v. Bakke* 98s Ct. 2733," 1978).

If we buy the idea that these admissions policies were discriminatory, then we must explore why the majority of the student population is Caucasian. It can be suggested that Bakke and Defunis demand admission based on a sense of entitlement rather than discrimination. At this time affirmative action programs were in their genesis. Yet, twenty-five years after Bakke affirmative action programs are still under attack as was evident in the University of Michigan challenges to their affirmative action programs.

### **Michigan and the Fight for Access**

In *Grutter v. Bollinger*, or the Michigan case, the US Supreme Court re-affirmed Justice's Powell's opinion from Bakke that race should be one of many variables in considering an applicant for admission ("*Grutter v. Bollinger*, (02-241) 288 f. 3d 732

affirmed," 2003). Justice O'Connor (2003) stated that after 25 years of Bakke, positive changes had occurred and she hoped that in another twenty five years, affirmative action policies wouldn't be necessary ("Grutter v. Bollinger, (02-241) 2.88 f. 3d 732 affirmed," 2003). Given the centuries of racism and exclusion people of color have endured in the United States, her hope seem unlikely.

To further conceptualize the vast inequities in American history, it is important to use Critical Race Theory (CRT) to help us understand why inequities are not only dominated by class dimensions – as opponents of race based affirmative action want the public to believe – but also racial prejudice. CRT clarifies how racism in America has contributed to communities of color being excluded from higher education.

### **Critical Race Theory/Lat Crit**

CRT dates back to the 1970's. Legal scholars Derrick Bell and Alan Freeman were upset that improvements in racial progress in the United States were slow and not moving fast enough (Delgado & Stefanic, 2000). Bell, Freeman, and others felt new approaches were needed to comprehend different forms of racism in American Society (Delgado & Stefanic, 2000). Consequently, this new wave of legal scholarship provided a new framework for studying the role race plays in American Society. By examining issues of higher education in California under a CRT frame of analysis, we can conclude that racism has played a central role in the exclusion of certain populations. To further advance these ideas we must ponder the work of Michael Olivas.

In *The Chronicles, My Grandfather's Stories, and Immigration Law: The Slave Traders Chronicle as Racial History*, Olivas (1999) chronicles the exclusion of

communities of color in America. From removal of the Cherokees of the Southeastern United States to Operation Wetback, Olivas chronicles the history of exclusion in the United States and the role race played in discriminating these communities (Olivas, 1999). Olivas (1999) puts forth the argument that the history of the United States is marred by racial exclusion at the hands of the dominant group. When critics of race-based admissions question why America needs to be race blind (Kahlenberg, 1996), the countless examples of racial discrimination and its adverse affects should be the answer.

It can be suggested that having color blind admissions re-enforces white privilege in contemporary society because it attempts to ignore the racial exclusion of the past. Neil Gotanda states, “To be racially color blind, on the other hand, is to ignore what one has already noticed” (Gotanda, 1999, p. 36). Hence, being color blind ignores the truths about American society. Gotanda goes on to say:

*This pre-existing race consciousness makes it impossible for an individual to be truly not conscious about race. To argue that one did not really consider race of an African American is to concede that there was an identification of Blackness. Suppressing the recognition of a racial classification in order to act as if a person were not of some cognizable racial class is inherently racially premised (Gotanda, 1999, p. 36).*

Some argue that class must be considered and I would contend that race must equally and simultaneously be considered. If we solely examine affirmative action programs under a class frame of analysis, then we dismiss the role of racism.

Advocates of race blind admissions in higher education contend that the history of exclusion for people of color is a non-issue and that present day discrimination based on class should be in the forefront (Kahlenberg, 1996). If this thesis holds truth, then how can we negate racism when people of color are hurt most by unemployment, education cut backs, and the inability to obtain health care. A color blind society is a noble idea

that everyone should strive for, but in that quest we must not ignore past and present racism; especially not when it comes to understanding access to higher education at public universities.

Examining issues of access to higher education for underrepresented communities of color under a CRT mode of analysis reveals that race has played a central role for who gets educated. The Third World Strikes at UC Berkeley and San Francisco State Universities in the 60's demonstrated how students of color fought hard to open access to the university for marginalized communities (Muñoz, 1989). Despite this progressive action, forty years later there is still limited access for African American and Chicano/Latino students. The UC Regents decision to eliminate affirmative action in undergraduate and graduate admissions serves as a reminder that minority education at premier state universities may not be attainable for certain communities. More troubling is that African Americans and Chicanos/Latinos jointly constitute a large proportion of the state's population and still their representation at UCLA is minimal when compared to the number of other students who are enrolled at this institution. It becomes important to examine the declining significance of race in college admissions decisions.

In *The Declining Significance of Race in College Admissions Decisions*, Grodsky and Kalogrides (2008) argue that even when affirmative action programs do exist in higher education, many of its stake holders may retreat due to the political pressures from the judicial, legislative, and executive branches of government (Grodsky & Kalogrides, 2008). The authors further state the fear from organizations like the *Center for Equal Opportunity* of filing or threatening to file lawsuits. Once the threat of litigation is in the air, the authors contend that schools may possibly change their policies in order to avoid

being targets from such organizations. If this is the case, can higher education leaders be counted to protect affirmative action? Most importantly can such leaders be depended in protecting diversity in higher education? Moreover how do such commitments and policies affect UC?

After the UC Regents rescinded affirmative action in admissions and after the passage of Proposition 209, California became a place where communities of color could more easily be excluded from the state's premier public institutions. Irrespective of the taxes these communities pay to support their state universities and the proportion of the population that they comprise, their representation at flagship universities like UC Berkeley and UCLA remain a challenge. Opponents of affirmative action (i.e., former UC regent Ward Connerly and former California Governor Pete Wilson) argued that selecting applicants based on race has no place in university admissions (Chavez, 1998). Critics argue that universities should judge on the basis of merit rather than race (Laird, 2005). To understand "merit" in university admissions we must explore how merit is measured.

Critics of affirmative action argue that access is not attributable to race, but rather to economical processes that disadvantage students regardless of their cultural heritage (Kahlenberg, 1996). These critics fail to realize that race in union with class impacts the educational attainment and mobility of African American and Chicano/Latino students.

### **The State of Minority Education in the United States**

Using the 1993 US Census on the Chicano educational pipeline; Solórzano and Ornelas described that out of one hundred Chicano elementary students, fifty-six will

drop out of high school and only forty-four will graduate. Out of those forty-four that graduate from high school, twenty four will enroll in a college, in which thirteen will enroll at a community college, and only eleven will enroll at a four-year college. Out of that total eight will persist through the third year and six will graduate with a B.A. degree. Out of the six that have earned a degree two will attain a graduate or professional degree and less than one will earn a doctoral degree (Solórzano & Ornelas, 2002). This data suggests access to higher education goes beyond the elimination of affirmative action and brings forth the issue of quality public education for California's minority population.

### **The Williams Case**

Eliezer Williams, et al., vs. State of California, et al., May of 2000, alleged that California was ignoring the state of certain public schools. Further, that the state failed to provide thousands of public school students, particularly those in low-income communities of color, the bare necessities required for a quality education (TCLA, 2005). The plaintiffs alleged that California's failure to provide basic needs to all public school students violated the state constitution and federal requirements for all students to receive an equal public education despite race, color, or national origin (TCLA, 2005). The plaintiff's demanded that California develop a system of oversight and management to ensure that every child who is enrolled in public schools receives the basic educational necessities such as: trained teachers; adequate textbooks; and habitable facilities. If deficiencies were uncovered, the state had the responsibility remedy it (TCLA, 2005).

The suit was settled in 2004 after the state agreed to allocate 138 million dollars to under-serving schools. However, the lack of action from the state before the settlement strongly suggests how public education in California is unequal. Moreover with the current crisis in the state budget, can the state adequately fund education for these communities of students? Funding aside, there is a perception that the UC does little to take the inequities found in the Williams Case into account when considering an applicant for admission. Still, the UC claims to use comprehensive review in all applications. How is it possible to conduct a thorough and meaningful comprehensive review of student applications when UCLA alone receives in excess of sixty thousand applications for undergraduate admissions? Also, with the extreme competitiveness for an admissions slot at a highly selective institution like UCLA and the lack of resources in schools where high proportions of African American students and Chicano Latino students exist, can these groups be adequately represented at UCLA or other highly selective public universities in the state?

I argue that with affirmative action a talented student from an urban high school may have a chance of being admitted. However, with affirmative action rescinded the likelihood of admission for inner city school students may be severely compromised due to factors (e.g., lack of Advanced Placement courses) out of their control. In the end, a student may have to settle for attending a different UC campus if they enroll at all. As such it becomes important to question if a UCLA education is attainable. Have UCLA and the UC system as a whole become a place where the public good no longer matters and those with wealth privilege prevail over the public good? Giroux argues that civic discourse has given away to corporate culture in which higher education runs the risk of

becoming more about individualism than the collective good (H. Giroux, 2002). As such, it becomes important to question if UC, a public entity is no longer an enterprise that values the public good, but rather meetings the needs of those from privilege.

Consequently, what should the mission of the UC be? Should it be the public university that serves the people of California, or a university system that will serve the select few that come from certain elite communities? It becomes important on how marginalized communities have fared in a university that may not value their capital. In the following chapter will decipher the methods that I undertook in this study.

## **Chapter 4**

### **Methods**

The purpose of the study is to deconstruct admissions at UCLA after the end of affirmative action programs; per the UC Regents' decision in 1995 and Proposition 209 in 1996. By using an interpretive methodology, this study will look at two specific populations of students: African Americans and Chicanos. The study seeks to inquire if the population of students from these specific communities have either increased or decreased in a post affirmative action era. In short this study asks if the elimination of affirmative action in admissions at UCLA had a significant impact on the admission of African American and Chicano/Latino students. In order to conceptualize if any trend is present I use admissions data from the UC Office of the President from 1989-2008 in order to analyze application, admission, and enrollment of students into UCLA.

The two theories that will guide this study consist of: Critical Race Theory (CRT)/Lat Crit and Social-Cultural Reproduction theory. By using CRT I seek to inquire if students from particular communities have faced obstacles to higher education based on their race or ethnicity. In addition, the use of Social-Cultural Reproduction theory to ascertain how schools lead students to replicate their social and cultural standing in society. Some of the theorists that are associated with these frames of thought are Daniel Solórzano, Richard Delgado, Pierre Bourdieu, Paul Willis, Bowles and Gintis. These theory's help us explain what challenges African American and Chicano/Latino, and/or working class students face when trying to obtain higher education.

## **IRB Protocol**

Approval of this research was granted by the University of Illinois Institutional Review Board (IRB). Since the data consisted of statistics from the University of California Office of the President it was granted expedited review. Even though additional institutional IRB review was not necessary I sought and received approval from UCLA's IRB. When I conducted a renewal of my IRB proposal I was informed that the nature of my data enables me to pursue any future renewals specifically at the University of Illinois' IRB.

## **The Purpose of the Study**

The objective of this research is to investigate if the admission of African Americans and Chicano/Latinos has suffered in a post affirmative action era at UCLA. The data will seek to inquire if the numbers of African American and Chicano/Latino students who applied and were admitted annually from 1989-2008 differ from each other. Beyond the trends and implications that the removal of affirmative action programs may have on African American and Chicano/Latino students, this study seeks to address the importance of carefully crafting higher educational policy. This particular data tells a story about what happened at UCLA as a result of SP1 and Proposition 209 as well as the story about what happens when educational policy does not consider the impact it may have on various groups of individuals. In addition to addressing the creation of carefully crafted higher educational policy, it is my hope that this dissertation serves as an example that higher education and the policies for higher education cannot exclude consideration

of K-12 education. When we fail to consider that some policies become null if K-12 doesn't produce the higher education student body then our efforts are done in vain.

### **Collection of Data:**

I relied on data collected from the University of California Office of the President. Their meticulously organized and readily available collection of data spans a range of factors that were important to this study. One of the major tasks in producing this dissertation was to discern what factors I would use and how I would organize them. Due to the focus of this dissertation, I selected data that indicated how many students by race applied, were admitted, and ultimately enrolled to UCLA between 1989 to 2008.

### **Potential Benefits of Using Descriptive Statistics**

The benefits of using descriptive statistics are to tell a story that is more accessible to individuals that rely on straightforward data. The simple summaries give us a factual glimpse of how many students applied and were denied access to UCLA before and after the elimination of affirmative action. Another advantage of using descriptive statistics is that it allowed me to show the number of students who applied and were admitted and to show the social and policy analysis that could explain what the numbers represent. Thus, for these reasons I choose descriptive statistics to present and best explain what transpired at UCLA in their 1989-2008 admissions cycles.

There is a great deal of information available and assumptions to be made about UCLA admissions from 1989. The select information and analysis best represents the focus I choose and allows me to present the idea that the removal of affirmative action

policies are detrimental to elite schools like UCLA. In particular, my data focuses on four populations of freshman and transfer students: African American; Chicano/Latino; Caucasian; and Asian American. In the UCOP data, Chicano and Latino students are separated under two categories, as such, for the purpose of reporting I will List Chicano and Latino students as two separate variables. Consequently the following populations are not discussed: American Indian; East Indian/Pakistani; Filipino; other; and unknown. While these groups are important, for the purpose of this study these groups do not have a significant impact in the outcomes of the data and analysis that are the focus of this dissertation. Central to the elimination of affirmative action at UCLA are data related to African American, Chicano/Latino, Caucasian, and Asian American students.

By focusing particularly on four populations I seek to analyze and provide information for use in discourse surrounding higher education policy. Important to the analysis and information I provide is the idea that policy should enhance the chances of all students receiving an education at top tier UC institutions. In using the descriptive statistics I hope that I will be able to reach a wider audience that can achieve these goals.

### **Limits On Using Descriptive Statistics**

While using descriptive statistics as my frame of analysis will provide many advantages (e.g., being able to explain data as easy as possible) this mode analysis does provide some limitations. The first, that descriptive statistics in itself may be seen to some as a limitation because there are more advanced or different methods. However, I felt that any other methods could be too complex or not easily readable. The second limitation is the assumption that members of particular communities are not homogenous.

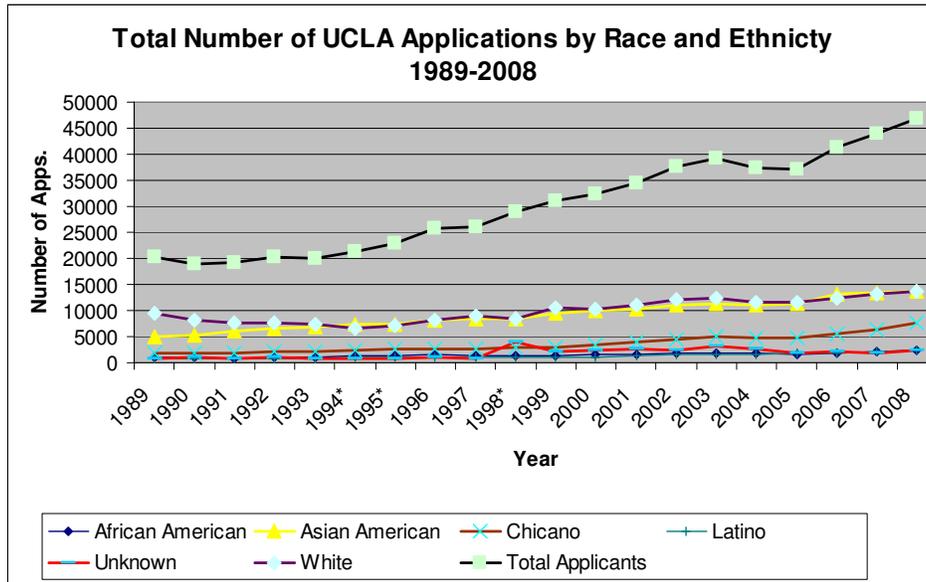
Yes, the data presented shows four racial/ethnic populations and does not take into account SES or if the students is bi-racial. While the data does lump students from diverse walks of life into the one umbrella term that unites them, I still feel that it is important to have a unifying number that can then be accompanied by analysis. While there are limitations to this method, I do feel that I present the data in the best possible manner and that the advantageous of this method are more than the limitations.

## **Chapter 5**

### **Results**

The first three chapters investigate issues surrounding access to UCLA in a post affirmative action era. The chapters also explore the evolution of UCLA admissions and the impact this has had particularly on African American and Chicano/Latino students. I pay particular attention to these groups because they were the communities thought to be most affected by SP-1 and Proposition 209. To confirm this assumption I examined application, admission, and enrollment statistics from 1989-2008 that were provided by the University of California Office of the President. While data for East Indian/Pakistani, American Indian, Filipino Americans, and other populations was available, I did not include those in my analysis since these populations are not the focus of my particular study.

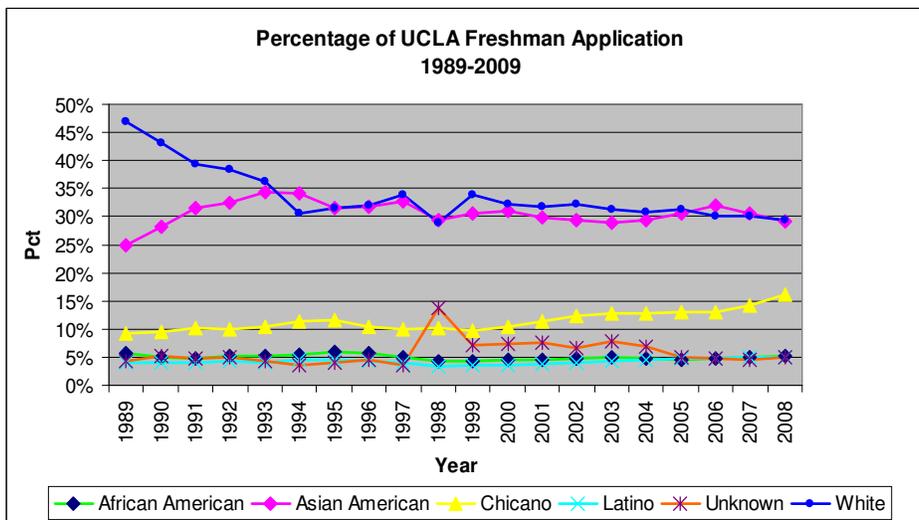
## UCLA Applicants by the Numbers and Percentages



**SOURCE: UC Office of the President, Student Affairs, Admissions, CSG, Jan 2009**

*Figure 1. Total number of UCLA Applications by Race and Admissions 1989-2008*

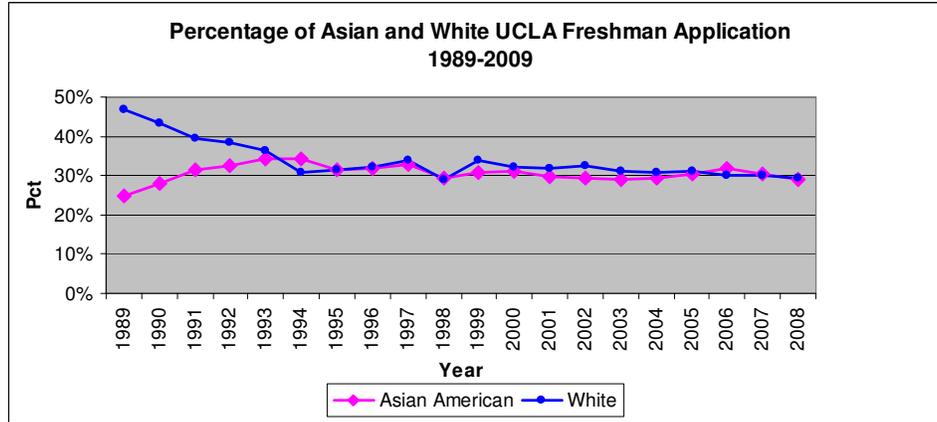
From 1989-2008 the number of students applying to UCLA has increased (see figure 1). During this period of twenty years we do see some interesting developments; the application for admissions deriving from Asian Americans has increased significantly to a point that it has caught up with those of White Americans. For Chicano/Latino students, there is a modest increase as figure 1 illustrates. African Americans have applied in stagnant numbers at 1167 in 1989 to 2474 in 2008, which to some is worrisome due to substantial increases of applicants from other communities. In Figure 1 I have provided the real number of applicants to give you an idea of how many people actually apply to UCLA. In Figure 2, I have taken these same numbers and expressed them as percentages.



SOURCE: UC Office of the President, Student Affairs, Admissions, CSG, Jan 2009

Figure 2. Percentage of UCLA Freshman Applications 1989-2009

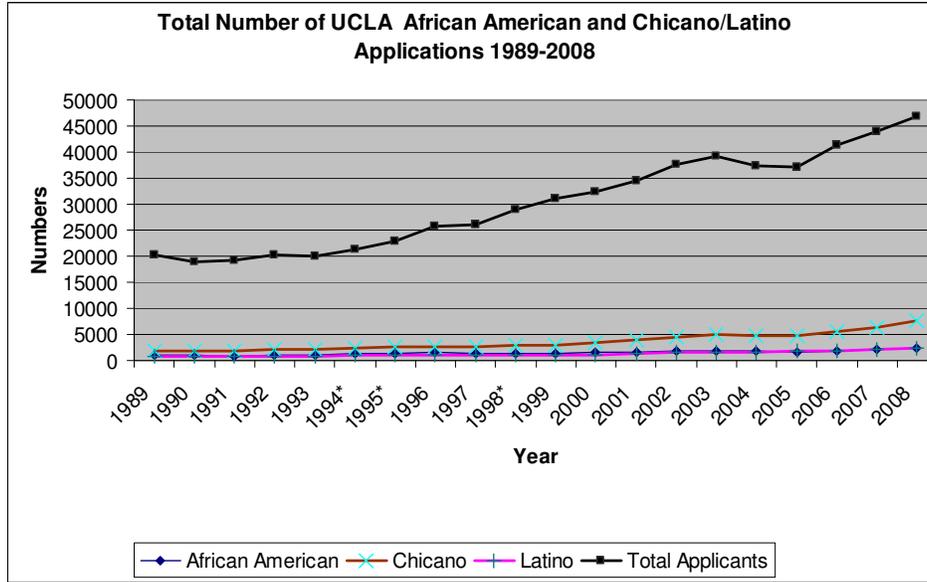
By looking at the number of applications to UCLA in terms of percentages we are able to better conceptualize how each group compares. In 1989 the percentage of applications submitted by White’s was just under 50% and in 2008 it was just over 30%. A drop in applicants from this community took place between 1989 to 1994; ironically the same time that many from this community began to question affirmative action policies in admissions at the University of California (Chavez, 1998). SP-1, the policy that eliminated the use of race in admissions was argued by those who were against affirmative action that “merit” rather than race should be used when evaluating an application for admission into the University of California (Chavez, 1998). As a result of having affirmative action policies, critics of race sensitive admissions argued that many students (i.e., African Americans and Chicano/Latinos) were taking the place of more deserving applicants (i.e., White Americans) (Chavez, 1998). Delving even further into the idea that African Americans and Chicano/Latinos were taking spots that Whites merited, we see that in reality this was not the case.



SOURCE: UC Office of the President, Student Affairs, Admissions, CSG, Jan 2009

Figure 3. Percentage of Asian and White UCLA Freshman Application 1989-2009

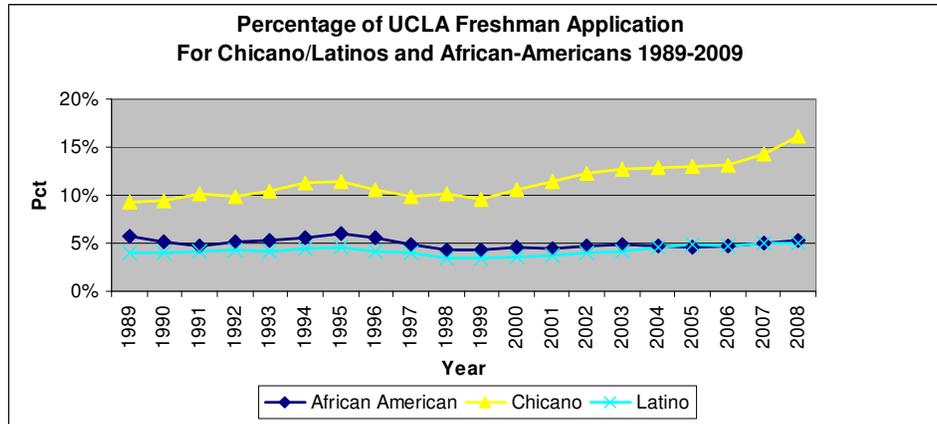
In Figure 3, between the years of 1989-1994, the percentage of White applicants to UCLA went from just under fifty percent to barely above thirty percent. Simultaneously, the number of Asian American applications increased from below thirty percent to thirty four percent. The data in Figure 3 suggests a significant altering in the composition of applications received from various communities. Beginning in 1994 applications received from Whites began to dwindle. Meanwhile, during this same time period applications received from Asian Americans rapidly increased and surpassed applications from Whites. It becomes interesting to look at what was occurring during this same period with applications received from African Americans and Chicano/Latinos.



SOURCE: UC Office of the President, Student Affairs, Admissions, CSG, Jan 2009

Figure 4. Total number of UCLA African American and Chicano/Latino applications 1989-2008

As previously stated, there is an overall increase in applications received, but as Figure 4 indicates there is no significant change in the number of applications received from African Americans and only a slight increase in the number of applications received from Chicano/Latinos. For Chicano students this issue becomes interesting since this community comprises one of the largest populations in the state and consequently a large proportion of students enrolled in California schools.



SOURCE: UC Office of the President, Student Affairs, Admissions, CSG, Jan 2009

Figure 5. Percentage of UCLA freshman application for Chicano/Latinos and African-Americans 1989-2009

In order to fully conceptualize data as it relates to this community, it becomes important to examine their real or raw number alongside the percentages in order to draw conclusions about what transpired to this community as a result of SP1 and Proposition 209. As stated earlier, Figure 1 indicates that the number of freshman applications have increased dramatically since 1989. Today, UCLA receives over fifty thousand applications for freshman admissions. To further highlight the more popular and competitive nature of UCLA admissions, I note that Figures 1 to 4 do not include students applying as a transfer student from community college or a four year college/university.

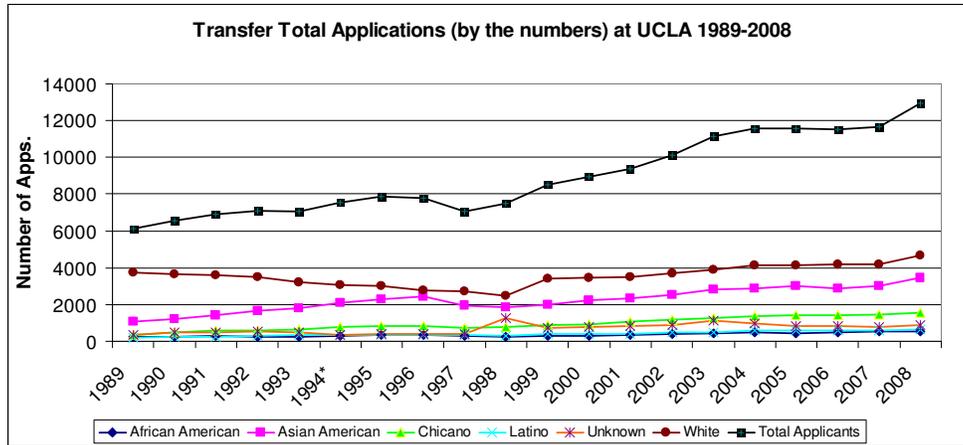
By looking at application statistics in terms of real or actual numbers and in terms of percentages we are able to see distinct observations. When we examine the percentage of applications of African Americans and Chicano/Latinos, we observed that for the most part they have remained stagnant. In terms of real numbers, applications received from African Americans and Chicano/Latinos have seen little variation from 1989 to

2008. When converted to percentages, applications from Chicano/Latinos show a slight increase.

In 1989 the percentage Chicano application was just under ten percent; today it has increased to above fifteen percent. Even though the increase does provide a glimpse of encouragement as it relates to increases of applications from this community, the percentage of applicants from this community is far below the forty percent of high school graduates in the state (Western Interstate Commission for Higher Education, 2008b). Hence, the modest increase of applications received from this community show a grossly underrepresentation to UCLA and the UC system. This is why it is important to also analyze the number of applications received from transfer students.

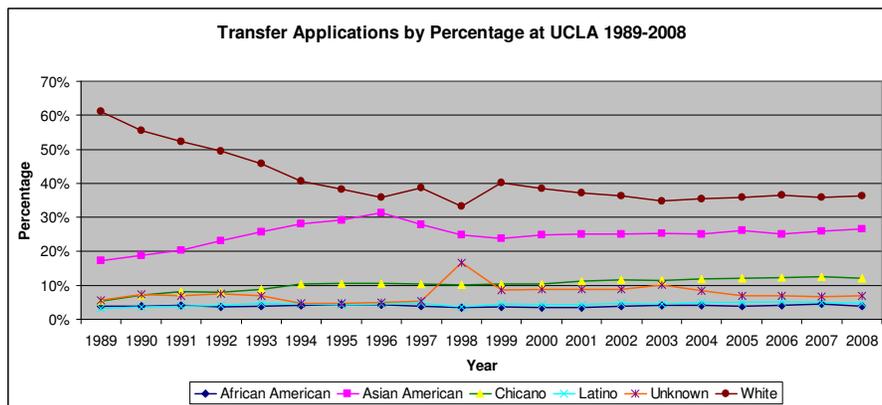
### **Transfer Applicants Into UCLA**

Most discourse surrounding admissions to UCLA centers around high school students applying for freshman admissions. This is only half of the admissions story. Transfer admissions constitute an important piece of the story as they often mirror what happens at the freshman level and in particular what happens when affirmative action is removed from the admissions process.



SOURCE: UC Office of the President, Student Affairs, Admissions, CSG, Jan 2009

Figure 6. Transfer total applications (by the numbers) at UCLA 1989-2008

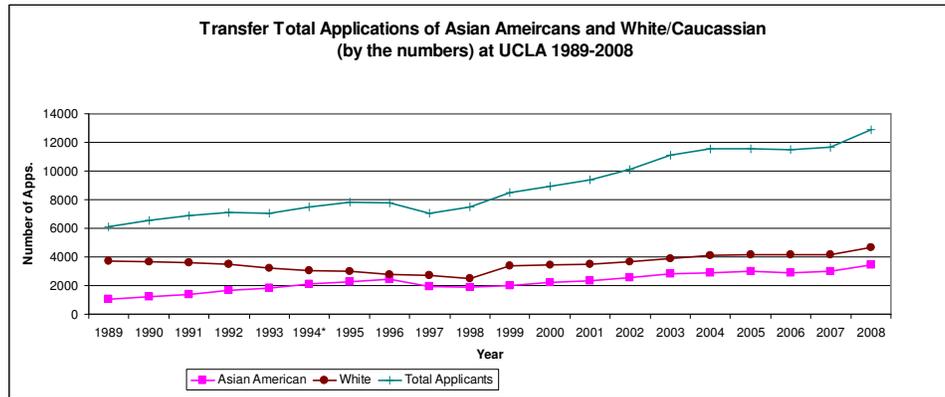


SOURCE: UC Office of the President, Student Affairs, Admissions, CSG, Jan 2009

Figure 7. Transfer applications by percentage at UCLA 1989-2008

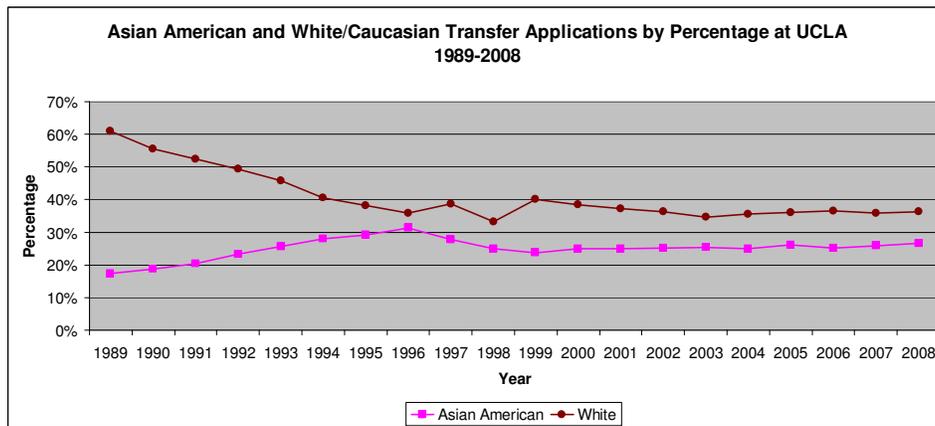
By looking at the “real” number of students who transfer into UCLA, it becomes evident the number of students who apply has increased significantly since 1989 (see Figure 6). In 1989 there were slightly over six thousand students who applied as transfers. Today we see that numbers have more than double. Looking at real numbers alone does not tell us the full story on what has transpired in the last twenty years, when the numbers are translated into percentages we can more clearly see even minimal change. From 1989 – 1996 we see a monumental drop of White applicants. In 1989, Whites constituted over sixty percent of transfer applicants. By 1996 the numbers had

plummeted to thirty-six percent. During this same time as Figures 6 and 7 illustrate, the number and percentages of Asian American applicants increased significantly.



SOURCE: UC Office of the President, Student Affairs, Admissions, CSG, Jan 2009

Figure 8. Transfer total applications of Asian Americans and White/Caucasian (by the Numbers) at UCLA 1989-2008

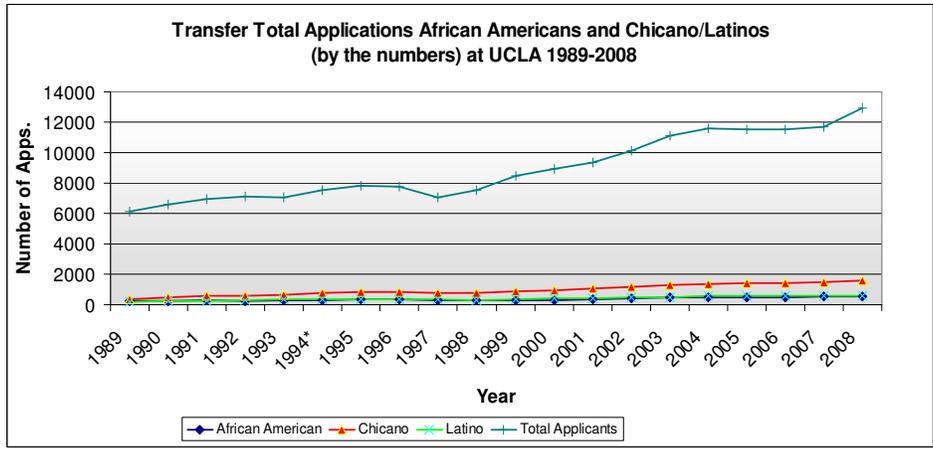


SOURCE: UC Office of the President, Student Affairs, Admissions, CSG, Jan 2009

Figure 9. Asian American and White Caucasian transfer applications by percentage at UCLA 1989-2008

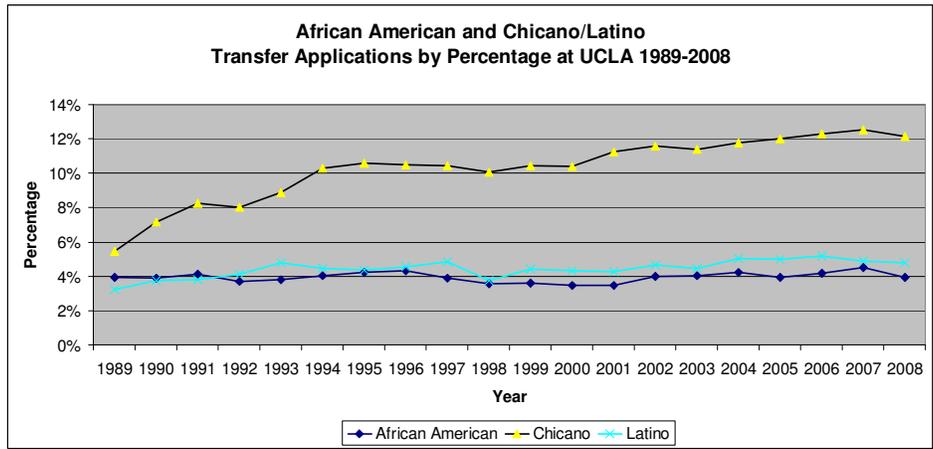
By looking at Figures 8 and 9, applications from Asian American transfer students rose significantly like those of Asian American freshman students. Simultaneously, applications from Whites transfer students began to dwindle like those from White freshman students. By putting a context to the data, it can be assumed that

during the early nineties White Americans may have grown resentful that Asian Americans were becoming “overly” represented in the applicant pool at top tier UC campuses like UCLA and Berkley. By examining the timeline of the graphs and comparing them to the political climate during this time period, this strongly suggests that SP1 and Proposition 209 took place in period when applications from Whites were dropping at the UC premier campuses? Given these occurrences and because of issues of “being UC quality and more deserving” (Chavez, 1998) it is no surprise that African Americans and Chicano/Latinos were blamed for the events taking place. By examining the data in Figure 7 there was no significant increase in the numbers of transfer applicants from African Americans and only a modest increase of Chicano/Latino applicants that pale in comparison to the percentage of applications from Whites and Asian Americans. Given the data we have just seen, it seems more plausible that the significant increase of applications from Asian Americans to elite UC campuses is what contributed to the mass hysteria from Californian’s who blamed African Americans and Chicano/Latinos for the drop in applications from Whites. Data from California high schools shows an increase of graduates of color from different communities. In the same time period the percentages of White high school graduates from Californians gradually decreased (Western Interstate Commission For Higher Education, 2008a). Considering this, it seems more logical that the percentages of minorities applying should go up. Even though the data below shows an increase of Chicano applicants, this upward trajectory is almost nonexistent with African American Applicants.



SOURCE: UC Office of the President, Student Affairs, Admissions, CSG, Jan 2009

Figure 10. Transfer total applications African American and Chicano/Latinos (by the numbers) 1989-2008



SOURCE: UC Office of the President, Student Affairs, Admissions, CSG, Jan 2009

Figure 11. African American and Chicano/Latino Transfer Applications by percentage at UCLA 1989-2008

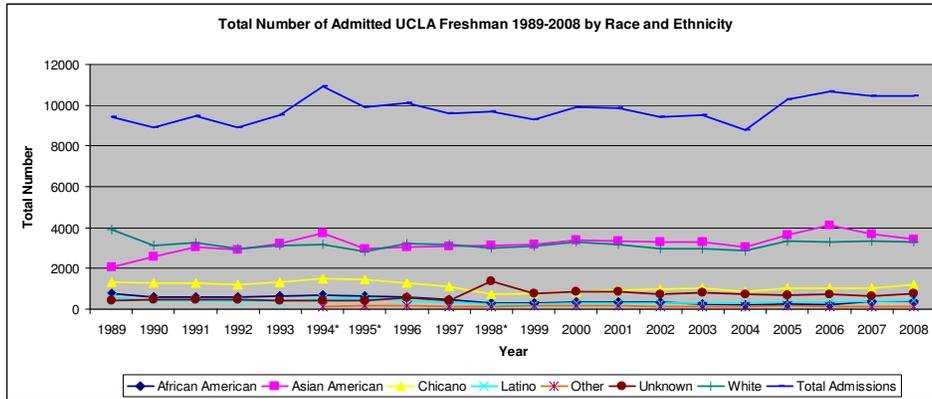
### African American Applicants to UCLA 1989-2008

When examining Figures 10 and 11, the applications of African American have been flat for the last 20 years. Even though there were periods of meager increases in the early nineties and the early 2000's, their numbers have remained stagnant. As such, it becomes important to ponder why the number of African American applicants has not significantly increased at UCLA in the past twenty years and who should be held

accountable for this. Critics who blame African Americans for taking slots of more deserving applicants are incorrect in making this assumption. The reality is that this group of students is grossly underrepresented on the UCLA campus and the UC system as a whole as the data suggest (University of California Office of the President, 2009b). In order to really comprehend the effects of the elimination of affirmative action programs at UCLA it becomes extremely important to analyze the data of not only the student who applied but the ones that were actually admitted. Moreover, it becomes paramount to question how the elimination of affirmative action programs in the mid nineties affected African American and Chicano/Latino students.

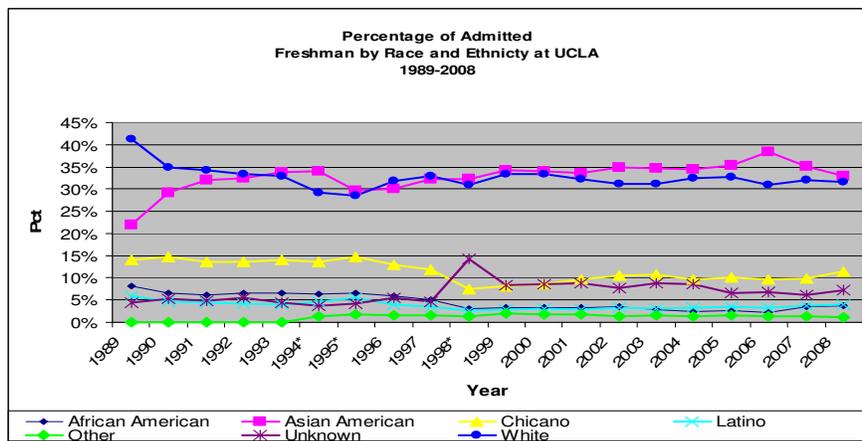
### **Admissions at UCLA**

Figures 12 and 13 illustrate freshman applicants who were admitted by numbers and percentages. In Figure 12 we observed minor fluctuation in the number of admitted freshman, but as a proportion the numbers of admitted students have remained stable. However when the “real numbers” are translated into percentages, more interesting conclusions become apparent. In Figure 13, we see a significant shift in the number of White and Asian American students who were admitted into UCLA.



SOURCE: UC Office of the President, Student Affairs, Admissions, CSG, Jan 2009

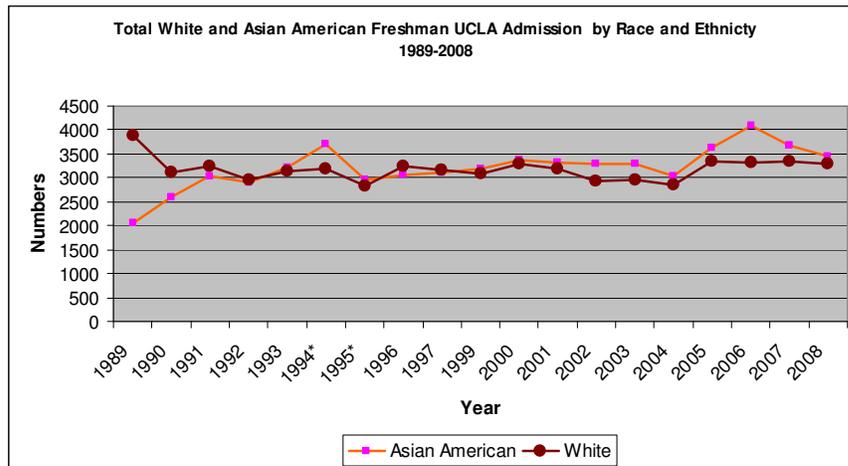
Figure 12. Total number of admitted UCLA freshman 1989-2008 by race and ethnicity



SOURCE: UC Office of the President, Student Affairs, Admissions, CSG, Jan 2009

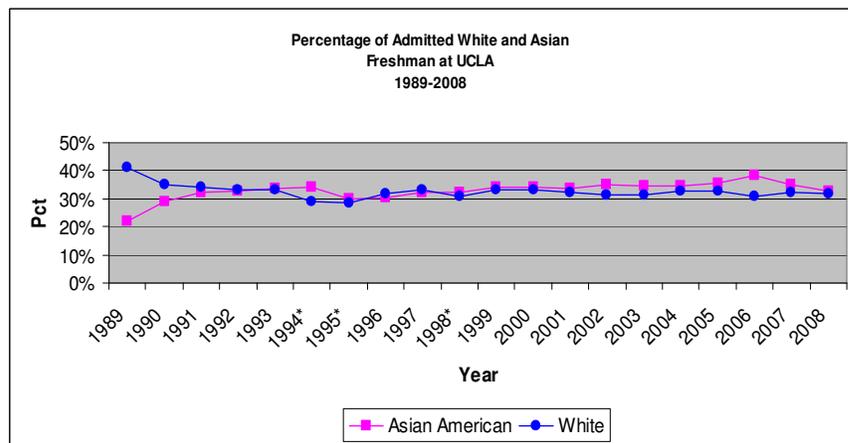
Figure 13. Percentage of admitted freshman by race and ethnicity at UCLA 1989-2008

From 1989- 1995 we see a dwindling percentage of admission of White students while we see an increasing percentage of admission of Asian American students. In fact from 1993-95 there were more admitted Asian Americans than admitted Whites (see Figures 12 and 13). This statistic calls into question if the elimination of affirmative action was a result of the “displacement” of White students to Asian American students. By looking at the historical record as it relates to Proposition 209 and SP1, we see that these particular debates had its genesis in the early nineties when Asian Americans were becoming the majority of admitted students at premier UC campuses like UCLA .



SOURCE: UC Office of the President, Student Affairs, Admissions, CSG, Jan 2009

Figure 14. Total White and Asian American freshman UCLA admission by race and ethnicity 1989-2008



SOURCE: UC Office of the President, Student Affairs, Admissions, CSG, Jan 2009

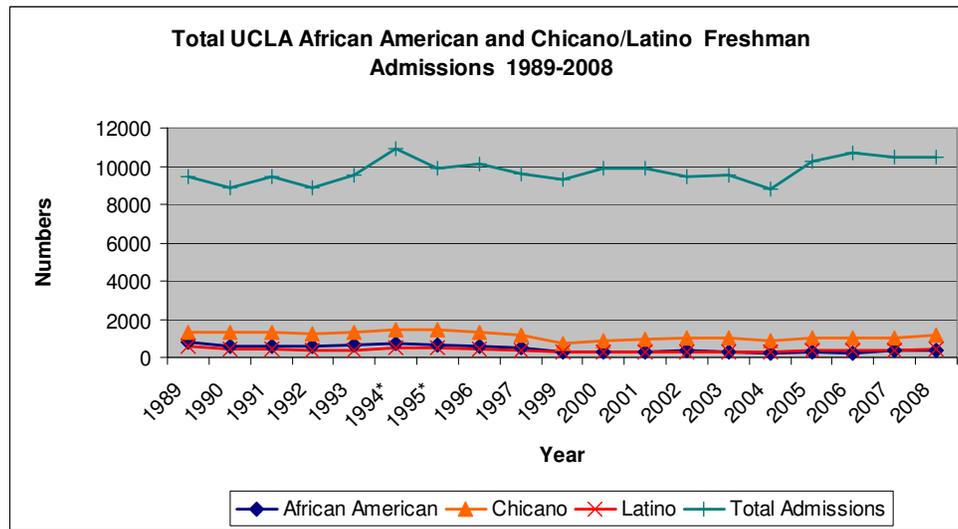
Figure 15. Percentage of admitted White and Asian freshman at UCLA 1989-2008

By looking at the numbers and percentages of students that were admitted at UCLA in 1989 through 1993 and 1994, again we see admission granted to Whites decrease and admission granted to Asian Americans increase. It can be argued that the drop of admitted students created dismay to some in the White community and was exacerbated by California Governor Pete Wilson who blamed African Americans and

Chicano/Latinos for the state's current social and economic ills. This issue was further perpetuated by initiatives like: Proposition 187 that prohibited social services and public education for illegal immigrants; and Proposition 184 or "three strikes initiative" that sentenced people to life in prison after being convicted of three felonies. Given the political environment of the time; it is evident that the higher education crisis was a microcosm of this. As such we see on how societal issues may impact the perception on who is qualified and merits admissions into UC.

Considering the crisis that ensued beyond Proposition 184 and Proposition 187, it is of no surprise that higher education policies like affirmative action would find its way into California's growing problems. Yet, when one considers admission statistics for UC schools the debates and prejudice upheaval seem trivial. Yes, according to Figures 14 and 15 we see a decrease in the admission of White students. However, Figure 15 clearly shows that Asian Americans surpassed all ethnic and racial groups with Whites trailing after them.

## African American and Chicano/Latino Admissions:



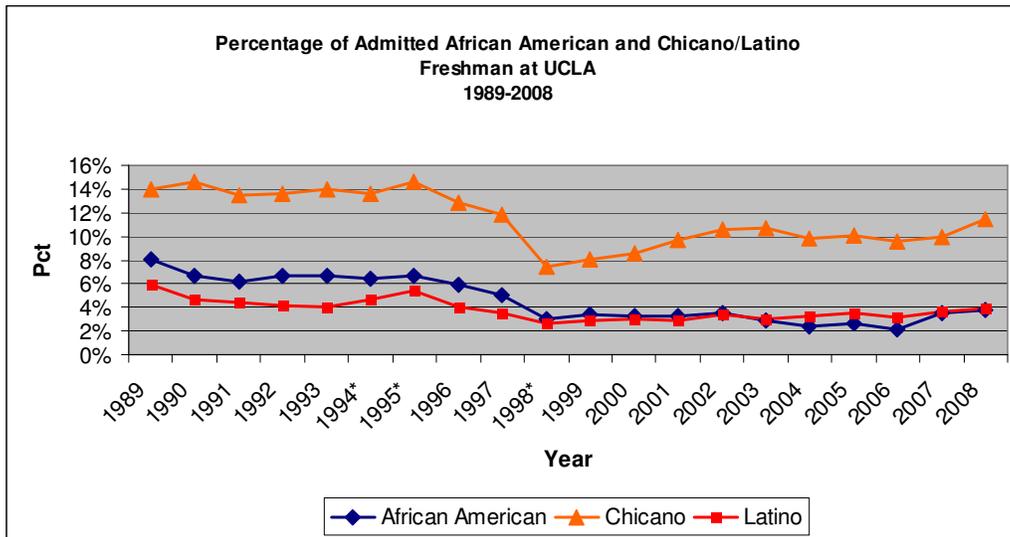
SOURCE: UC Office of the President, Student Affairs, Admissions, CSG, Jan 2009

Figure 16. Total UCLA African American and Chicano/Latino Freshman Admissions 1989-2008

When examining the “real numbers” of admitted African American and Chicano/Latino students from 1989-2008, the data in Figure 16 suggests the amount of admitted students have not varied greatly over the past twenty years. One important thing that should stand out in Figure 16 is the fact that African American and Chicano/Latino students were admitted less often than White or Asian American students. This is problematic when we consider how large of a proportion African Americans and Chicano/Latinos are in California.

Given that Chicano/Latinos are one of the largest populations in the state and comprise a large sector of high school graduates, their low freshman admission numbers over the past twenty years should be much higher than what we have seen over the past twenty years. Therefore, the data that is presented in Figure 16 should be examined further since it only tells a small part of the story. In order to better conceptualize African American and Chicano/Latino admissions it becomes paramount to look at their

percentages in the last twenty years and how the elimination of affirmative action programs has affected the freshman composition of those who seek admission into UCLA.



SOURCE: UC Office of the President, Student Affairs, Admissions, CSG, Jan 2009

Figure 17. Percentage of Admitted African American and Chicano/Latino freshman at UCLA 1989-2008

When examining the percentages of admitted African American and Chicano/Latino freshman in Figure 17, the data gives us a snapshot that is not apparent when looking at “real numbers” in Figure 16. The information in Figure 16 provides encouraging conclusions as admissions appear to steadily increase from 1989 to 1995 for African Americans and Chicano/Latinos. With the passage of SP1 in 1995 and the subsequent passage of Proposition 209, we start seeing a dip of admitted students from these communities. Even if the passage of Proposition 209 may have been the only factor in the lack of admission of students from these communities, the data in Figure 17 does suggest that the UC decision to eliminate the consideration of affirmative action in admissions in SP1 negatively affected the admission of these students. By looking at

Figure 16 one might be tempted to conclude that Chicano/Latino students are being admitted and that affirmative action programs are no longer necessary. If we revisit this same information as a percentage, we see that the percentage of admitted Chicano/Latino students is lower in 2008 than in 1995 (see Figure 17).

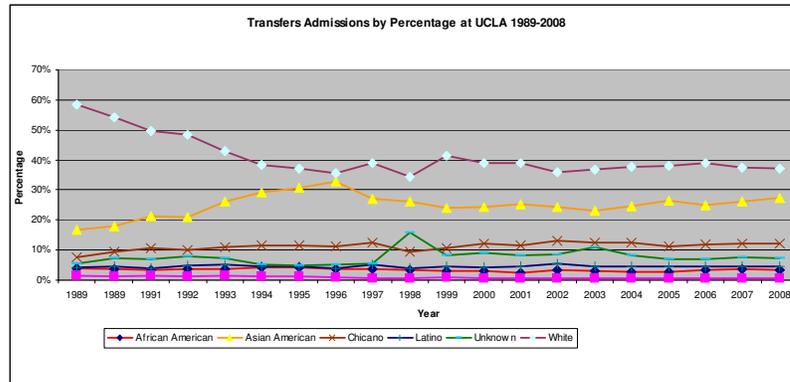
While we cannot fully negate that the Chicano/Latino population has made strides as increasing their admission to UCLA in a post affirmative action era, we need to consider two variables: 1. who are the Chicano/Latino students who are admitted to UCLA today, and 2. how do they differ (if at all) from those admitted in the nineties? Even with the increases in the admission of students from this community, their percentages are far below from Asian Americans and White students. It becomes important not only to examine the “real” number of admitted students but also to analyze their percentages.

If we only look at the real numbers, there exists the possibility of missing a major piece of the puzzle that can further explain the higher education crisis in California. One final point to consider; even though Chicano/Latinos comprised the largest sector of high school graduates in California (Western Interstate Commission For Higher Education, 2008a), more needs to be done for them to be adequately represented at highly selective institutions like UCLA. If more is not done, we will continue to have the largest sector of graduating high schools seniors denied access to their premier public institutions of higher learning. Even though the number of admitted of Chicano/Latino students are troubling, African Americans are in a worse situation because their admissions to UCLA has gone from a dismal to an extremely unacceptable state.

When examining the percentage of admitted African Americans at UCLA the data suggests that this community is grossly underrepresented and it has worsened with the passage of SP1 and Proposition 209. When examining Figure 17, we see the number of admitted African American students to UCLA plummet over time. In the late eighties African Americans were admitted an average of 8% annually and in 1998, when affirmative action was prohibited, that number decreased to 3%. Even though Chicano students have been able to increase their percentage of admitted students, in 2008; African Americans were four percent of admitted students at UCLA (University of California Office of the President, 2009b).

With the low percentages of admitted African Americans it becomes important to investigate the factors (e.g., population size) which could affect their admission to the UC system. One of the potential factors for such a low percentage of admitted students from this groups is the overall percentage of African Americans in California. According to the US Census, the population of African Americans in California was 6.8 percent (US Census Bureau, 2009a). This was only up from 6.7 percent from the 2000 census (US Census Bureau, 2009b). In contrast the population of Latinos in California in 2008 was 36.6 percent (US Census Bureau, 2009a), which was up from 32.4 percent in 2000 (US Census Bureau, 2009b). With a larger and continuously growing percentage of Chicano/Latinos in California, and a stagnant growth percentage of African Americans; this provides the opportunity to mask flaws in admissions. One flaw in admissions is that because Chicano/Latinos are so large of a population their story could be masking a prejudice toward African Americans in the admissions process. Figure 17 suggests that the overall percentage of African American admitted have remained stagnant. This

possibly suggests that admissions officers may not easily be able to distort the data for this community as it can for Chicano students. Since the population of African Americans has not increased at the same rate as Chicano/Latinos it is much harder for this community to make strides. With this dilemma in the freshman admissions I explore if the admission of transfer students looks any different?



SOURCE: UC Office of the President, Student Affairs, Admissions, CSG, Jan 2009

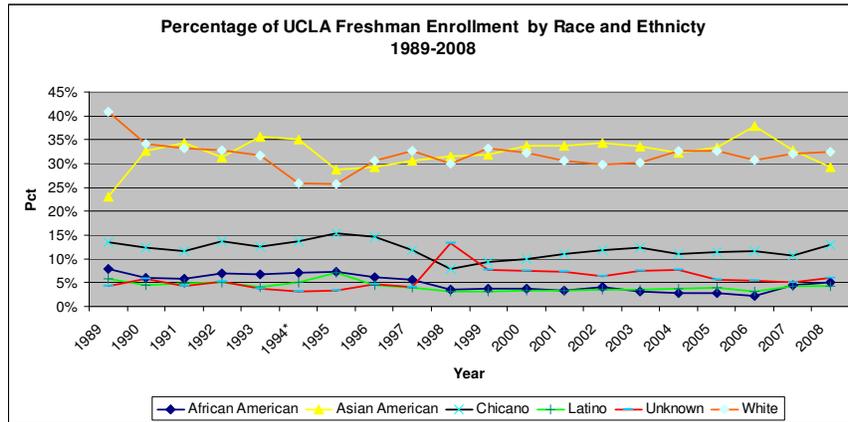
Figure 18. Transfer admissions by percentage at UCLA 1989-2008

When we look at the transfer data in Figure 18, we observe that the percentage of admitted White and Asian American transfer students is sixty-five percent. The percentage of admitted Chicano/Latinos is twelve percent and for African Americans three percent (University of California Office of the President, 2009b). This suggests that more students are being encouraged to transfer to UCLA if they don't feel prepared enough out of high school or are denied for freshman admissions. However, for African Americans and Chicano/Latinos the data reveals that they may not be encouraged to do this or are being plagued by unknown factors at the community college level. Similar to freshman admissions, transfer admissions is relatively low and stagnant for African Americans. Consequently, the transfer route may possible have no effect in increasing the percentage of admitted students from this community. For Chicano/Latino students there

has been an slow increase since 1989. In 1989 they comprised eight percent of all transfer students and in 2008 that number rose to twelve percent (University of California Office of the President, 2009b). Even though the percentage has gone up for this group, we need to consider that since 1989 the population of this community has increased substantially in California and the school going population has also risen during this time.

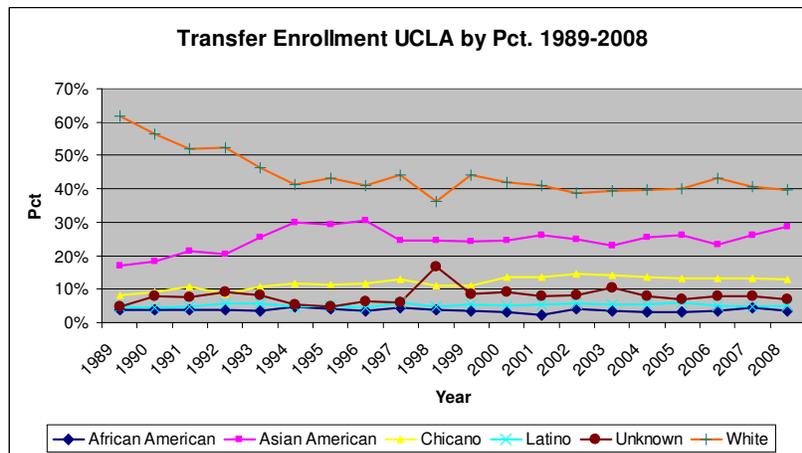
When sixty-five percent of all UCLA transfer admissions is relegated to two communities (i.e., Caucasian and Asian Americans) we should consider the following: are certain groups privy to information about access to UCLA; is there something inherent in particular cultures that they are better prepared to navigate admissions; and which groups benefit most from the transfer process? According to Figures 17 and 18 Caucasians and Asian Americans appear better prepared to navigate admissions and they benefit most from this process. It is uncertain if these groups are privy to particular information, but at the very least Figures 17 and 18 indicate that they understand what it takes to gain admission to UCLA as a freshman or transfer student. Meanwhile, African American and Chicano/Latino students must continue their struggle to gain admission to the UC system and UCLA in particular

**Freshman and Transfer Enrollment:**



**SOURCE: UC Office of the President, Student Affairs, Admissions, CSG, Jan 2009**

*Figure 19.* Percentage of UCLA freshman enrollment by race and ethnicity 1989-2008



**SOURCE: UC Office of the President, Student Affairs, Admissions, CSG, Jan 2009**

*Figure 20.* Transfer enrollment at UCLA by percentage 1989-2008

Even though this dissertation does not seek to explore who ultimately enrolled at UCLA. It is important to note that in the end both African Americans and Chicano/Latino students continue to be underrepresented at UCLA. Even with affirmative action the percentage of African American enrollment was low. Despite the circumstances surrounding African American and Chicano/Latino application, admission, and enrollment; there was a perception that the university was committed to increasing

the representation of members of this community. With the UC Regents adoption of SP1 and the passage of Proposition 209, the view that UC was committed to diversity was questioned. Even though the representation of African Americans and Chicano/Latinos were low at UCLA when affirmative action in admissions was in place, there was at least a perception that UCLA would be committed to ensuring a student body reflective of the diversity of California. The prohibition of affirmative action programs signals a perception that there is no place for certain communities in the UC system that perhaps it isn't true that "*UCLA is owned by the people of California. All 38 million of them*"

## **Chapter 6**

### **Limitations of This Dissertation**

In this dissertation I investigate what post affirmative action application and admission numbers for African American and Chicano/Latino students look like in comparison to other ethnic and racial groups. By using specific theories (e.g., CRT, Social-Cultural-Capital Reproduction) and looking at specific factors (e.g., race), there inevitably are limitations to my work. For example, the use of CRT and Social-Cultural-Capital Reproduction as lenses to analyze these issues may be seen as a limitation because I inadvertently ignore other plausible theories. I will discuss some of these limitations and show how I plan to use them in future research regarding issues of access and diversity in higher education.

#### **The UC as a Land Grant College:**

The UC is a tax-supported entity and the UCLA homepage proudly reminds us that as such “UCLA is owned by the people of California, all 38 million of them” (UC Regents, 2010). Yet, my data indicates a contradiction in that statement which then raises the following issues: if UCLA is truly owned by the people of California then why doesn’t it appear that they all have access; how does UCLA compare to other elite UC campuses, and how do we make this institution in particular accessible? The reality is that African American and Chicano/Latino students from California do not have access. UCLA, UC Berkeley, and UC San Diego all experience the same phenomenon that was explored in this dissertation. And, there is no simple remedy for making UCLA accessible to anyone who wants access. Even though by some accounts, the number of

Chicano/Latino applicants and admitted students have rebounded, it becomes important to consider for future inquiry if low income underrepresented students are being admitted at the same rate when affirmative action programs were in place.

The increase in Chicano/Latino applicants and admitted students becomes more significant if we investigate this issue further and consider that there are new factors such as socio-economic status (SES) that will play a role. Due to the focus of my initial question, I do not investigate the idea that middle-class Chicano/Latino students are making strides in accessing UCLA (and other elite UC campuses) while low SES Chicano/Latino students continue to be hurt by the passage of Proposition 209. For future research this idea produces the following questions: what is the socio-economic status of the average present-day UCLA Chicano/Latino student and what resources were at their disposal to get them access; is economic condition the only aspect hindering low-income Chicano/Latino students from gaining access to an elite UC campus (if they are even admitted to the UC system in the first place); and will we ever see a day where the extreme competition to attend an elite UC campus no longer holds true for students who meet the minimum entrance requirements?

Admissions to campuses at: Irvine, Santa Barbara, and Davis, has become extremely competitive. Moreover UC Santa Cruz, which in the recent past would have admitted all UC eligible applicants, can no longer admit those who meet the minimum criteria for admissions (UC Santa Cruz, 2009). In the last two years the percentage of admitted student fell from 82.8 percent to 63.7 percent (UC Santa Cruz, 2009). This data indicates that UCSC is no longer a viable option to students who meet the minimum UC requirements for admission and that UC Riverside and UC Merced are the last viable

options for UC eligible applicants who cannot gain access to elite UC campuses.

However, the current financial crisis in California may force these two campuses to stop admitting all eligible students.

Even though the UC system is still considered by many to be the top public university system in the nation, the racial and possibly class stratification of its students body calls into question the university's commitment to serving all of its stakeholders. While many UC administrators are strongly committed to diversity, Proposition 209 makes it difficult for administrators and other stake holders to make transformative change and to put an end to underrepresented students being pushed out of the most selective UC campuses. UC campuses may be stratified based on race. UCLA, UC San Diego, and UC Berkeley continue to struggle to attract and maintain a diverse student body. In contrast campuses at Merced, Riverside, and Santa Barbara are already or close to becoming Hispanic Serving Institutions (HSI) (HACU 2008). This is not to convey that HSI's are not good institutions, but it is troublesome to consider certain UC campuses may received a large proportion of underrepresented students due to a possible cascading effect within the UC system (Karabel, 1998).

Even though UCLA has increased the numbers of admitted Chicano/Latino students to pre Proposition 209 numbers, it becomes important to note that this population was already underrepresented when affirmative action was in place and that this population is not free from the dangerous of the cascading effect. As of 2008, Latinos comprise over thirty-five percent of California's population and their numbers at UCLA have never mirrored this percentage in the population of its student body.

With or without affirmative action programs, diversity has always been a challenge at UCLA. Moreover, the representation of African American students at UCLA and at other highly selective UC campuses has been dismal. At best, and with the elimination of affirmative action in admissions this will worsen the problem. As such it becomes important to ponder why the Chicano/Latino population has made progress in access to UCLA while the African American population continues to suffer? These questions may be explained by the demographics of California.

With the high proportion of Chicano/Latinos in California it makes it more feasible that highly selective UC campuses like UCLA will be able to recoup the drop of students from this population due to that fact that there is a larger pool of students that UCLA may be able to select from, even though as a whole the university does very little to increase access to members of this community. For African Americans, it is not as simple because although they are well represented in California, and their proportion is nowhere near that of Chicano/Latinos.

Even though this dissertation did not focus on class it may be necessary for future research to ponder how the SES of admitted African American and Chicano/Latino students in a post affirmative action era differ to those when affirmative action policies were still in place. In a post affirmative era at the UC we have to consider how does race and SES improve or hinder the opportunity of gaining admissions to students who come from low income backgrounds. Future studies on this issue may be strengthened if a Lat Crit theoretical framework is put forth as a mode analysis in order to look at multiple variables that may affect access to higher education in California's most elite public universities. With the ever growing Chicano/Latino population in California, the top UC

campuses are able to mask the crisis of admitted students by admitting students who derive from the middle class; thus having the appearance that diversity is possible in a post Proposition 209 era. Unfortunately a large proportion of this population does not have a competitive chance of being admitted to any university. This may be conceptualized by a multitude of factors that affect members of this community and as such this is an area for future research to investigate.

### **Lack of Educational Resources**

The lack of Advance Placement (AP) courses has limited the opportunities of African American and Chicano/Latino students in being admitted at elite UC campuses such as UCLA. Even though this dissertation focuses specifically on what transpired in a post Proposition 209 era at UCLA there are a great deal of factors like lack of AP courses which attribute to the inequalities in California's higher educational system. The Daniels case of 1998 vividly illustrates major discrepancies in the amount of AP courses that are offered in African American and Chicano/Latino schools (ACLU, 1999). If an African American student has the opportunity to only take two AP courses how can they be able to compete with a Caucasian or Asian student who takes in excess of 10 AP courses that are offered at their school? This type of unequal distribution creates a huge disadvantage and may affect the future outcomes of students who seek admissions at campuses like UCLA.

UCLA and the UC continue to face challenges of race neutral admissions policies. As an elite public university UCLA will continue to encounter marginal representation of underrepresented students if no pro active approaches are taken to rectify the current

predicament. UC campuses at Santa Barbara, Davis, Irvine, and Santa Cruz are growing and in some cases have exceeded capacity to admit all eligible UC applicants. As a result, these campuses have turned away students who have met and exceeded UC criteria for admission. In the coming years this will make it more difficult for the UC to fulfill the mission of the Master Plan for Higher Education, when all UC eligible applicants may not be granted a space. Today, UC Riverside and UC Merced are the last two UC campuses who are able to accommodate all UC eligible applicants. With the growing California population and an increasing number of students meeting UC eligibility criteria, how long will these two campuses be able to accommodate these students? Or will the UC continue to raise its admission requirements so that only students who attend premier public or private schools will be eligible for admissions? With these new predicaments is the California Master Plan for Higher Education obsolete and simply a relic of the past? With the passage of SP1 by the UC board of Regents in 1995 and the subsequent passage of Proposition 209, in 1996 that both took effect in 1997, maintaining diversity at UC campuses like UCLA has been a major challenge.

The admissions data from UCLA suggests the elimination of affirmative action policies has created a drop in African American and Chicano/Latino students. Even though the application and admissions numbers of Chicano/Latinos have rebounded since the enactment of Proposition 209, the vast majority of students from this community may never be competitive to gain admissions to UCLA for no fault of their own. The application and admissions numbers for African Americans have not rebounded after Proposition 209 and their representation continues to fall behind that of other communities at UCLA.

UCLA in the foreseeable future will face many challenges in increasing the population of its most underserved students. Admissions policies must change and future research should investigate what these changes should be, how will they impact admissions at UCLA, and will underrepresented students finally gain access? The reality is that even if UC makes significant policy changes it may do very little to increase the populations of underrepresented students at UCLA.

### **Legacy Admissions:**

As the policy battle wages on how affirmative action “punishes” those who have earned a slot at the university based by merit, very little has been said about legacy admissions. Legacy admissions are among one of the ways that students gain admission to a university that they may otherwise not be admitted to (Schmidt, 2007). Many elite schools use this practice to admit students (Bok & Bowen, 1998; Golden, 2006; Schmidt, 2007) . As such it is possible that a “more deserving” student may be denied admission to an elite school in order to accommodate the son or daughter of alumni whose children would otherwise not be admitted. Some may argue that this builds alumni relations, but in reality it excludes some “more deserving” students.

Ladewski (2010) contends that legacy admissions disproportionately favor Caucasian applicants at the cost of their non Caucasian counter parts since past generations of college students were less diverse than today’s applicant pool (p. 577). He further argues that legacy admissions are prohibited by the Civil Rights Act of 1964 because they have a discriminatory effect on minority college applicants (Ladewski, 2010). Even though Ladewski makes a strong argument, I doubt legacy admissions will

be rescinded. Alumni are a powerful group of stake holders that donate heavily to their alma mater and in times of financial crisis this is an important resource. After all, why would universities “kill” their cash cow? Even though Ladewski’s arguments carry merit, it doesn’t seem likely that universities will take his analysis under consideration; especially at places like Yale or cash strapped institutions like the UC. However, it may be important to research on how those who is admitted under legacy admissions to those who are admitted under affirmative action programs.

With the drop of students from underrepresented populations one has to wonder why a university admits students who would not be admitted based on their academic ability. This particular question comes to mind when we consider that universities admit students based solely athletic ability and who will participate in inter-collegiate athletics such as football, basketball, or track and field. I am not arguing for or against the diversity that student athletes bring to the university. However, I do feel that future research is needed to understand the role this plays in diversifying the university and to see if this further impedes the access of non-athletic underrepresented students to the university.

Also, future research is needed to understand if student athletes are seen as a way to diversify the student population or to increase revenues in the millions to universities. Regardless, we do see a double standard of admission policies by institutions such as UCLA who confronts these issues. In general, this is one of the many problems confronting higher education and as such it is important to consider the other issues like equity.

## **The Need for Equity**

Overall, public education in California is in utter disarray. Due to the focus of my dissertation discussion about the K-12 public education system was limited, but is a vital area that I intend to carry out future research in. African American and Chicano/Latino students are not accessing colleges and universities. The reality is that the K-12 public education system is not preparing many students who come from underrepresented communities to graduate from high school and much less to attend an elite public university system like the UC (California Department of Education, 2004). With high dropout rates for Latino and African Americans (West Ed, 2004) and even higher dropout rates for males from these communities, we must ponder how public education fails members from these groups? The issue of access to higher education almost becomes moot when we discover the disproportionately high dropout rates of members of these two communities. These students are being left behind. Solórzano's *schools within schools* uses a Critical Race Theory framework to explain the educational outcomes of African American and Chicano/Latino students in regards to their lack participation in Advance Placement courses (Solórzano & Ornelas, 2002). When you realize that students are not getting in to college with their K-12 public education and that schools within school exist, it becomes apparent that California has failed and is sending the message that they don't care about graduating certain populations and they don't care if they have access to an AP curriculum.

If California doesn't care if African American and Chicano/Latino students graduate from high school and/or if they stay in school without access to an AP curriculum, their hopes to pursue an education at place like UCLA will be severely

compromised. Like the UC system, the K-12 public education system is a tax supported entity with the responsibility and duty to educate all members of California. Critics of affirmative action contend that the university should take the best students regardless of race and SES. This raises two important questions: 1. what is the mission of a public land grant university like the UC and 2, how does the university define merit?

UCLA, like most elite public universities have the right to admit the top qualified students based on merit, but it is crucial that merit be defined. Also, the rules about who decides who gets admitted and who gets rejected must be clear for all stake holders. If school [A] has over ten AP courses while school [B] has little to no AP courses, does the student in school [B] have an equal chance of being admitted to UCLA? California's past and future legacy of exclusion is a result of not just racism, but definitions and rules that are unclear and a K-12 public education system that is not operating in a way to prepare students for college. It begs to ponder that as a society, how can progress be made with such massive inequities in our educational system?

## Chapter 7

### Racial Fault Lines

United States history indicates that racial fault lines have been the pervasive norm. The desire for a *White only population* (Almaguer, 1994), the Chinese Exclusionary Act, Operation Wetback, segregation of Mexican Students in California's schools, and the Japanese Internment Camps, one would be naïve to dismiss race. Higher education has not been immune from this. In California, from denying access of certain groups to their university institutions to resisting the inclusion of ethnic studies, racism still exists.

Higher Educational leaders cannot make the assumption that after forty years of the Civil Right Act of 1964 and thirty years after Bakke, that we have reached an educational nirvana. When no African Americans are admitted to UCSD School of Medicine after the enactment of Proposition 209 and SPI 1 (Covarrubias, 1997), this is problematic and signals inequality. The story about access to UCLA and the UC system as a whole highlights a pervasive problem for communities of color. This is not to neglect the fact that this is an issue at other U.S. universities. The difference here is that the UC was not strategic in covering its unequal admissions policies. As a result, UC campuses at Berkeley and Los Angeles were in the spotlight for their dramatic drops in African American and Chicano/Latino students. Even though the numbers plummeted, some may ponder if a UC education regardless of campus should carry a level of prestige (Bolick, 1996b).

Critics of affirmative action like Clint Bolick argue that he received a top caliber education at UC Davis and was able to achieve a high level of success (Bolick, 1996b)

and thus degrees from elite institutions are not necessary to attain success. Is this really the case? Does a UC Riverside degree carry the same cultural and social capital as one of UCLA or Berkeley? In a world where image is more important than substance, the social and cultural capital of where a degree is obtained from matters. Maybe in utopia, the prestige of an institution should not matter, but research suggests that degrees from certain institutions do carry more weight than others (Schmidt, 1997). Even though the caliber of education may be of similar prestige, names matter. In some instances, the merit of the applicant is secondary to the capital and social networks of the individual. As such, it becomes important to ponder if someone with similar grade point averages from two different institutions will be judge the same way. Does a 3.2 grade point average from a Biology student at UC Merced be seen as equivalent as a 3.2 grade point average from a similar student at UCLA? Even though Merced is part of the UC system, the social capital it carries pales in comparison to that of UCLA, Berkeley, or San Diego. I do not argue that a UC Merced education is inferior, but rather the perception of individuals who sit in graduate and professional schools admission committees make assumptions about students from particular institutions and this is problematic when we consider what is the value of a UC education.

When comparisons and assumptions are made favorable to a student from UCLA and unfavorable to one of UC Merced, this raises several questions for future research. One, what is the real value of a UC education? Two, will graduates from Irvine, Riverside or Merced are just as competitive and successful as those from UCLA? Three, is quality or perception of the institution more valuable and should a student bother attending UC Merced (or a non elite UC campus)? For some students, these questions

may not even matter because they were ill prepared to go on to college. For others, these questions become null when all they can get into is UC Riverside or UC Merced. For the lucky who have the choice of attending any school they want to, these are some of the tough questions they must consider before committing to attend one of the UC campuses or taking a full ride to attend Stanford or Harvard. In this case does a UC degree carry the same weight to on of Harvard or the University of Chicago?

### **The Crisis in K-12 Education:**

Before a student is admitted to the UC there are minimum requirements for admission (UCOP, 2001c). Even though I have questioned the admission policies of the UC it becomes important to note that there are several African American and Chicano/Latino students do not meet the UC minimum criteria for admission (Griffin, 2009). This is where it becomes evident that K-12 public education in California is failing these communities and that there is a dilemma in K-12 education that must addressed.

Even though this dissertation has not focused on the discrepancies of secondary education for African Americans and Chicano/Latinos in California's public higher education, it becomes important to note the condition of education for members of these communities; especially since they comprise a significant proportion of the population in the state.

### **California is More Than Los Angeles, San Diego, or San Francisco**

California has large urban and rural centers that often go neglected in access and equity discourse. Therefore, a one size fits all policy approach will not remedy the

current predicament in public education. Urban centers like Los Angeles, Orange County, San Diego, Oakland and the San Francisco Bay Area are very different from each other. There needs to be different approaches in order to make transformative changes for African Americans and Chicano/Latinos who live in these urban enclaves. Moreover, it also becomes important to note that what might work in Los Angeles for African American students, may not work for the same population in Oakland. Also, we cannot make homogenous assumptions about Chicano/Latinos since some might be recent immigrants, while others may have their ancestral roots in the U.S.

It becomes essential to also consider that urban issues in Los Angeles more heavily deal with gang violence while urban issues in San Diego heavily deal with immigration, border prejudices. As for rural communities, they deal with some issues that are similar to urban communities but they have their unique needs that are very different to those of Los Angeles, San Diego, or the San Francisco Bay Area. In order to meet the needs of students regardless of their geographic location, policy makers have to be very cognizant on how certain policies may have adverse consequences.

Schools are not equal and mimic the inequalities and prejudices of society. Are working class students subjugated to working class jobs? If our intent is make society more productive and more efficient then we have to examine how educational resources are disseminated. For the underprivileged, will they ever have an opportunity to compete and achieve upward mobility? With affirmative action in place there was a perception that the discrimination of the past and present would vanish. But ever since its inception, affirmative action has been under attack. *Bakke v. The University of California Board of Regents* stated that affirmative action policies set forth by the UC Davis School of

Medicine were quotas as such it violated the equal protection clause of the United States constitution. Hence, their policies were unconstitutional. The court however did rule that race could be used as one of many factors when considering an applicant for admission into the university ("Regents of the University of California v. Bakke 98s Ct. 2733," 1978). This leeway allowed many universities to practice affirmative action as long as it was following the opinion of the court. Twenty five years after Bakke, Justice O'Connor in *Grutter v. Bollinger* stated that the opinion of Justice Powell in Bakke should still be referenced in university admissions ("Grutter v. Bollinger, (02-241) 2.88 f. 3d 732 affirmed," 2003). Even though, this opinion may be perceived as a victory for affirmative action, is it really the case?

With states like California, Washington, Michigan, and Florida eliminating affirmative action in public higher education, do federal court decisions matter? Furthermore, with the elimination of affirmative action programs in the state level, will there be approaches to maintaining diversity at elite public universities? In particular what can California do to bring diversity to the most selective UC campuses?

### **Moving Past 209**

Even though Bakke and Grutter allows for race to be used as a criteria in higher education, SP1 and Proposition 209 prevent it in California. With this being the case can affirmative action ever be re-implemented in California?

Re-implementing affirmative action in California after more than ten years since the passage of proposition 209 would probably not bring major change. President Clinton's "mend it don't end it" speech in 1995 signified that the political left would not

be a strong advocate for affirmative action programs. Fifteen years later, little has changed. The retreat from progressive policies has taken a major toll on African Americans and Chicano/Latinos in university admissions and in society. So how do we increase diversity in higher education?

Affirmative action in California's higher educational system will not be coming back any time in the near future, but if there is a movement toward this idea; then future research needs to be done to identify when and how this will happen. With racial consideration excluded, policy approaches that may increase diversity and access cannot violate Proposition 209. Future research must also question if increasing diversity through transfer admissions will be most appropriate; especially since Griffin (2009) argues that transfer rates for Latinos and African Americans to the UC system are low in comparison to those of the dominant culture. Race aside for just a moment, will the working class have access to their premier public university? Higher education is in crisis if we fail to serve all communities, and it begs to contemplate if the United States is in crisis if we fail to produce a skilled (educationally or vocationally trained) workforce? In California, the Master Plan for Higher Education "creates" a means where higher education would be attainable by the masses and where the state would produce a skilled workforce. Is this still the case?

### **The Master Plan: A Forgotten Dream? Or Systematic Stratification?**

The California Master Plan for Higher Education which was established in 1960 and provided that three state entities of higher education would function to educate the citizens of California. The UC was designated to be the state's main research university

and has the responsibility to provide undergraduate, graduate, and professional education (ie., law, medicine, dentistry, and veterinary medicine). As it relates to the selection of its undergraduate student body, UC is to select from among the top one-eighth (12.5%) of the high school graduating class (California State Department of Education, 1960). The California State University (CSU) was designed to provide undergraduate and graduate degrees (through the master level with few exceptions). Under the Master plan CSU was to select from among the top one-third (33.3%) of the high school graduating class in the State (California State Department of Education, 1960). The California Community Colleges(CC), under the Master Plan, had the responsibility of providing remedial, academic and vocational instruction for older and younger students (UC Educational Relations Department, 2007). CC also provided a lower division undergraduate curriculum that would allow the opportunity for students to seek a transfer pathway to UC and CSU. Moreover the CC system had in its purview the task of providing English as a Second Language (ESL) courses, adult noncredit instruction, and workforce training curriculum (University Relations, 2007). It was believed that the creation of a multi-tier system of higher education would be democratic. Was this really the case?

In 2005, the California State Senate authorized CSU to award Educational doctoral degrees (Ed.D) in Educational Leadership (Marketing & Communications: Division of University Relations and Development, 2005). Prior to this, CSU was only allowed to award a doctoral degrees jointly with a UC campus or an independent institution (Douglass, 2000). This move from the senate was not one that was welcomed by UC and they made their objections very clear.

UC since the inception of the Master Plan of Higher Education, having the CSU be an independent doctoral degree granting institution has been vigorously fought by the UC on the grounds that this was a deviation from the mission that was outlined by the Master Plan of Higher Education (Douglass, 2000). It is clear that there is tension between CSU and UC that will continue as resources from the state are becoming scarce. While I do not focus on this, future research should consider these issues because the Hispanic Association of College and Universities (2005) explains that 13 of the 23 of the CSU campuses are considered Hispanic Serving Institutions (HACU, 2005). If the UC has no plans of expanding or giving access to underrepresented populations, then the CSU should have the opportunity to create PhD programs that could award doctoral degrees to all communities.

The population of African Americans may not be as large as Chicano/Latinos in the state, but these two communities are almost equally represented at certain CSU campuses. The percentage of African Americans at CSU campuses of: Dominguez Hills, East Bay (formerly CSU Hayward) and San Bernardino are at 27, 11.5 and 12 percent respectively (California State University, 2008). Having doctoral programs at the CSU may enhance the opportunity of members of these communities attaining doctoral degrees. If the UC's and in particular highly selective UC campuses like UCLA are not admitting a large number of students from these communities it makes sense for CSU's to take on this responsibility. Even though my research is not specifically looking at this issue this question merits further investigation.

The Master Plan For Higher Education, may have noble beginnings and possibly the founders of this plan had great intentions, however it has created a multi tier public

higher education system in California where few have access to the UC and most are forced to attend the CSU's and CC's. This is not to argue that CSU's and CC's are not necessary or lack quality, it is more a matter of considering who enrolls in these institutions. Given these questions and assumptions, I am not suggesting that merit does not matter in the debate for access to higher education or that certain life experiences should only matter, but rather how do we define merit and how can we work with that definition to help students who want mobility obtain it?

The California Master Plan for Higher Education may have been a success for the state and the UC, but we must consider who this really benefits. No one can discredit the research and contributions that the UC makes to law, business, medicine, and society; but are we making the best research and contributions if we fail to include the perspective of certain communities simply because they can't attend? The UC claims that it is committed to diversity but with the removal of affirmative action and the lack of steps to equally represent all groups I am skeptical of this.

### **Closing Thoughts: The California Economic Crisis**

When I initially embarked in writing this dissertation the California economy was strong. Tuition fees were manageable for the average working class student, financial aid funding was fairly good, jobs were plentiful, and the housing market was at an all-time success in California. Between the years of 2007-2010 the landscape changed drastically and California has gone through an economic meltdown that has not been seen since the great depression. With mass layoffs, foreclosures, and the banking meltdown; California is in the middle of economic Armageddon where projected state revenues were extremely

overvalued and the mass deficits became an albatross in the state's economy. California's problem are severe that mass cuts where necessary to balance the budget. In addition, Governor Arnold Schwarzenegger was forced to trim twenty six billion dollars from the state budget. One of the areas that suffered major cuts was education (Steinhauer, 2009).

The K-12 public education budget which also includes the CC's will endure a cut of over 6.1 billion dollars. In four year public universities like CSU's and UC's, they have to contend with a two billion dollar cuts in state appropriations (Steinhauer, 2009). As a result many in California will suffer. One of the possible ramifications of these cuts in higher education is that it will make attaining higher education more difficult for low income communities. Aid programs like Pell Grant and Cal Grant, which give to students with financial need, will not be as effective due to the sharp increase in tuition. Even though the UC is a public university, the cost of attending in 2009 was \$24, 600 (University of California Office of the President, 2009a), which is a major contrast from 1999, when the price of attending one of the nine campuses of the UC was \$14,327(California Post Secondary Education Commission, 2001), an increase of \$10,273. As such, it becomes important to ponder how this sharp increase affects first generation low income students. In the past, these students may have taken loans to make up a small gap in their scholarship and grants; today these students will have to rely more heavily on loans.

For many, student loans are necessary to fund higher education, but when loans become a larger proportion of a student's financial aid we are creating a system of higher education based on class. Those who can afford a UC education will enroll while those who may have the aptitude but not the financial means may be forced to pursue their

education elsewhere. The high price of higher education may create a dilemma for careers that are vital for society but don't provide salaries enabling the repayment of student loans. Students interested in pursuing careers in education or social work may need to pursue careers that will assist them to pay their loans and maintain a decent quality of life. For most African Americans and Chicano/Latinos, they could never even consider these occupations because to do so would be an economic hardship. These issues highlight the necessity for not only access, but affordable education for all.

My intent has been to research the inequities in admissions at UCLA in a post affirmative action era. In the first years when racial consideration was prohibited in admissions at UCLA, the data does suggest that there has been a drop in the application, admission, and enrollment of African American and Chicano/Latino students. Even though it may appear that UCLA has recovered, Chicano/Latino application and admissions numbers have only reached pre Proposition 209 levels and African American application and admissions numbers are still struggling to reach that point. In general, this is an issue plaguing elite universities in California so the blame goes not just to UCLA and the UC system.

### **Ramification on Recruitment of Students of Color into UCLA**

UCLA is one of the premier public institutions in the nation. As a result of SP-1 and Proposition 209, there is a perception that this will affect the recruitment of talented students of color into this campus and other top tier campuses of the UC system. When we examine the state population, Chicano/Latinos comprised a large proportion; as such their representation at these campuses can be masked. However with African American

students, this may not be the case. Since they comprised a smaller proportion of the state's population, it may be hard to increase their representation at UCLA and other elite UC campuses. Moreover, the top performing African American students who could be courted to UCLA, Berkeley, and UC San Diego may also be recruited to attend elite private schools such as Stanford or Harvard with full financial funding. As such, aggressive recruitment alone may not be enough to increase the representation of this community. In addition with the substantial increase of tuition at the UC, such students may choose to go elsewhere. This leads to another issue that UC will have to address. How can a financially strapped institution like the UC recruit top minority students, when elite schools provide better financial aid opportunities to such students?

Many entities in California are to blame for the current crisis in California's higher educational system. The data suggest that the UC's most selective campuses are open to a select few. While this may propose that the UC's are only accessible to those with an elite private or public K-12 education, it does not mean that African American and Chicano/Latino students should stop applying. The mission of public higher education in California is to prepare its citizens for life. Therefore, we need to consider how do we make all types of public higher education in California accessible and how do we make all types of K-12 public education more equitable to meet the transition to higher education? At present, these questions do not appear to be the focus of policymakers and unfortunately many K-12 public schools are grossly ill preparing African American and Chicano/Latino students who derive from low SES.

With the changing demographics in the United States and California in particular, it is crucial that everybody regardless of race and class receive a quality education.

California, a state where people of color make the majority has to take action if it hopes to maintain a skilled and efficient workforce. If not, it may continue to face major economical and social upheavals by the educational apartheid that is occurring in public education.

What we have seen at UCLA is not out of the ordinary, but what merits discussing it are the repeated claims that the university is for diversity when there appears to be no action taken towards that. In general, there are no quick fix policies or changes that can remedy the situation. It is my hope that UCLA and the UC will not only open access to African American and Chicano/Latino students, but will enable the people of California, all 38 million have an equal opportunity to be competitive for admissions to UCLA.

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