



California Coalition to  
Analyze the Impact of  
Proposition 209

PUBLIC  
INTEREST  
PROJECTS

AFFIRMATIVE ACTION  
IMPACTS & STRATEGIES:  
**HIGHER EDUCATION**  
**WEB BRIEFING**

*June 20, 2008*

*2 PM – 4 PM (EST), 11 AM – 1 PM (PST)*

*Phone: 1 (866) 740-1260*

*Web: [www.readytalk.com](http://www.readytalk.com) Access Code: 4384633*

# Speaker: Maritza Guzmán

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Maritza Guzmán is the Program Manager of the Fulfilling the Dream Fund and has more than 20 years of experience in the nonprofit and public sector with a track record of designing strategic responses to unmet community needs.

Ms. Guzmán spent nine years working in philanthropy, where she oversaw the design and implementation of several initiatives addressing unequal access, in areas such as community and economic development, education, youth services and housing.

# Sponsor: Fulfilling the Dream Fund

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The Fulfilling the Dream Fund is a fund of Public Interest Projects (PIP). PIP is a 22 year old public charity with extensive project management experience, particularly on issues of social justice and human rights. It currently manages five such efforts: the Fulfilling the Dream Fund; Communities for Public Education Reform; the U.S. Human Rights Fund; the Four Freedoms Fund and the American Dream Fund.

The logo for Public Interest Projects, consisting of a solid blue square with the text "PUBLIC INTEREST PROJECTS" in white, uppercase, sans-serif font centered within it.

PUBLIC  
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# Sponsor: Leadership Conference on Civil Rights Education Fund

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The Leadership Conference on Civil Rights (**LCCR**), is the nation's oldest, largest, and most diverse civil and human rights coalition representing nearly 200 member organizations. Its sister organization, the Leadership Conference on Civil Rights Education Fund (**LCCREF**), is the research, education, and communications arm of the civil rights coalition. A project of LCCREF, **Americans for a Fair Chance (AFC)**, is a project dedicated to educating the public about the importance of affirmative action and other initiatives aimed at expanding equal opportunity and preventing discrimination.

**Americans for a**  
**FAIR CHANCE** Opportunity Through Affirmative Action

A project of

**LC** Education  
**CR** Fund

# Sponsor: **IMPACT 209 Coalition**

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The California Coalition to Analyze the Impact of Proposition 209 (IMPACT 209 Coalition) is a broad-based coalition of groups and organizations that has come together to examine the impact of Proposition 209.

California voters passed Proposition 209 in 1996, enacting a ban on the use of race-conscious equal opportunity programs in public education, employment. The initiative, which was rejected by a majority of the state's African American, Latino and Asian American voters, went into effect without significant empirical research on the potential social and economic effects on California.

**California Coalition to Analyze the  
Impact of Proposition 209**

# Guidelines for web briefing

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**We welcome you to the web based briefing.**

- We will be muting lines during the presentation.
- We encourage questions and/or comments. Please feel free to type them by using the chat feature located at the left of your screen.
- Briefing is being recorded to share with interested partners that cannot attend.

# Agenda

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- **Welcome (5 min)**
- **Background (10 min)**
- **Presentations (45 min)**
  1. Presentation by Bob Laird
  2. Presentation by Frank Wu
- **Question/Answer Session (20 min)**
- **Closing (5 min)**
  - Total time: 1 hour, 45 min

# Speaker: Anjali Thakur

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Anjali Thakur is the Deputy Director for Field Operations and Director of the Americans for a Fair Chance Project for the Leadership Conference on Civil Rights and the Leadership Conference on Civil Rights Education Fund (LCCR/LCCREF).

In her position, Anjali works to establish and support multi sector coalitions in the states and devise strategies to conduct public education and constituent advocacy campaigns primarily around the importance of affirmative action and other programs aimed at expanding equal opportunity and preventing discrimination.



A project of

# Background & Context

- Much has occurred since May 2007, when news reports indicated that Ward Connerly – galvanized by his 2006 victory in Michigan – would attempt to bring ballot initiatives to ban equal opportunity programs in at least seven states.
- At the time, Connerly and allies were saying that they would pursue ballot initiatives modeled on Michigan’s Proposal 2 in states including Arizona, Colorado, Missouri, Nebraska, New Hampshire, Oklahoma, and South Dakota.
- With this in mind, many of us together continued in our work to refine our efforts and use the public education, research and communications lessons learned from Michigan, and around the country to tweak our strategies.

# Background & Context (cont'd)

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- **LCCR coalition at the national level, and multi-sectored partners at the state and local levels, worked toward key accomplishments, including:**
  - Increased constituent and community leader pressure and education;
  - Intervention and education among key state opinion leaders;
  - Legal intervention where possible;
  - Communications strategies that have resulted in Connerly and his allies having not been as successful in identifying the level of support needed to move ballot initiatives in the multiplicity of states in which they initially set forth to pursue the bans.
- However, among the results of our work and that of our allies, the states in which ballot initiatives are now being pursued have decreased to Arizona, Colorado, and Nebraska, after the initiatives were prevented from qualifying for the ballot in Oklahoma and Missouri.

# Speaker - Bob Laird

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- Bob Laird worked in admissions and outreach at UC Berkeley for 22 years, serving as director of undergraduate admission from 1993 until his retirement in 1999. He has been a frequent presenter at the National Forum of the College Board and at the national conference of the National Association for College Admission Counseling, and he served on the Guidance and Admission Assembly Council of the College Board from 1997-2000.
- Since his retirement from Berkeley, he has been a consultant on higher education admissions policy and written extensively on admissions and equity issues.

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# What Really Happened in California

**Ten Years of Damage from Proposition 209**

By Bob Laird

# Proposition 209

## (the so-called California Civil Rights Initiative)

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- Passed by voters in November 1996.
  
- Took effect
  - ▣ At the graduate level: Fall 1997
  
  - ▣ At the undergraduate level: Fall 1998

# California Demographics

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- In June 2007, African American, Latino, and Native American students made up 47.2% of the public high school graduates in California.
- In June 2010, these population groups will make up 50.5% of California's public high school graduates.
- Whites will make up less than 35% of the public high school graduates in the state.

# California State University Undergraduates

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- At Cal Poly San Luis Obispo, the enrollment of African American freshmen dropped from 52 students in 1997 to 28 in fall 2006.
- Those 28 students made up 1% of the freshman class.

# UCLA and UC Berkeley Undergraduates

- UCLA's fall 2006 freshman class included just 96 African American students—20 of whom were recruited athletes—in a class of 4,852—that is 2.1% of the freshman class, the lowest figure since at least 1973.
- The fall 2007 freshman class at UC Berkeley was 15.8% African American, Latino, and Native American.
- Compare that 15.8% figure at Berkeley with the figure of 47.2% for the state's June 2007 public high school graduates.
- In 1997, these three population groups made up 21.4% of the freshman class at Berkeley compared to 39.0% of public HS graduates in California.

# The UC System (all 9 campuses) Undergraduates

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- African American, Latino, and Native American students made up 21.6% of the University's fall 2007 freshman class compared, again, to that figure of 47.2% of the state's public high school graduates.
- That is a difference of 25.6 percentage points, a gap that has grown significantly in the last ten years.

# The Consequences of These Changes

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- California ranks 49th among the states in the percentage of high school seniors who enroll in college.
- California ranks 48th in the percentage of 18 to 29 year-olds who enroll in four-year colleges.
- In May of this year, the Public Policy Institute of California issued a report with this title: *Can California Import Enough College Graduates to Meet Workforce Needs?*

# This is Not Just a California Problem

- In June 2009, whites will make up less than 59% of the public HS grads in the US.
- The United States currently ranks second in the world in the percentage of citizens 34 and older who hold at least a BA degree—but 17th in the world in the percentage of 21 to 33 year-olds who hold a bachelor's degree.

# Another Important Dimension: UC Professional Schools

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- UC Law Schools: In 2005, African Americans made up 2.8% of the first-year law school classes at UC Berkeley, UCLA, and UC Davis, compared to an average of 7.5% for the years immediately preceding Proposition 209.
- UC Medical Schools: For fall 1997, the first year under Proposition 209, the UC San Diego School of Medicine did not admit a single one of its 196 African American applicants (compared to seven the previous year). The admission of Latino students declined from 42 students the previous year to 12.
- Where will we educate the lawyers and doctors to serve our growing minority communities?

# Proposition 209 and the Health Care Crisis

- In April 2008, UC San Francisco released a study of California that documented “a glaring gap between the number of doctors of color compared with the state’s ethnically diverse population, especially among African Americans and Latinos.”
- On June 5, 2008, *The New York Times*, in a story called “A City Where Hospitals Are as Ill as the Patients,” described South Los Angeles as “one of the most difficult places in the nation to both receive and give medical care,” and pointed out the near-impossibility of finding doctors willing to serve the predominantly African American and Latino population there.

# Proponents of Proposition 209: Dishonest from the Beginning

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- Proponents of Proposition 209 deliberately used a grossly misleading title: The California Civil Rights Initiative.
  
- In addition, they argued that:
  - ▣ The real problem was public K-12 Schools.
  
  - ▣ Once affirmative action was ended, they would work to fix those schools.

# What Really Happened....

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- Once Proposition 209 passed, its proponents completely lost interest in repairing the most damaged public K-12 schools—those in urban and rural areas.
- For the 2008-2009 fiscal year, the governor of California has proposed cutting another \$3 billion from the public K-12 budget.

# Commonly Proposed Alternatives to the Consideration of Race and Ethnicity

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- Socio-economic affirmative action
- By-high-school percentage plans
- Community college transfer

# Socio-economic Affirmative Action

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- Low socio-economic status has been considered by selective colleges and universities for many years.
- Within the band of low-income college applicants, Asian American students academically outperform all other racial and ethnic groups.

# By-High-School Percentage Plans

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- Depend upon segregated K-12 systems
- Affected by the academic performance of low-income Asian American students

# Community College Transfer

- The risk of sharply-segregated higher education systems
- In spite of 30 years of rigorous effort, very few African American, Latino, and Native American community college students transfer to four-year institutions.
- For fall 2007, 381 African American students and 1877 Latino students transferred from all 110 California community colleges to the nine UC undergraduate campuses.

# California got Things Backwards

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California eliminated the single public policy tool that was at least partially mitigating the damage from an unequal, segregated public K-12 system before the state eliminated the conditions that created the need for that policy in the first place.

# Speaker: Frank Wu

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- Frank H. Wu is the author of *Yellow: Race in America Beyond Black and White* and co-author of *Race, Rights and Reparation: Law and the Japanese American Internment*. From 2004 to 2008, he served as the ninth Dean of Wayne State University Law School in his hometown of Detroit. In the 2008-09 academic year, he will teach as a Visiting Professor at University of Maryland and George Washington University.
- Professor Wu serves as a Trustee of Gallaudet University, the only university in the United States serving primarily deaf and hard of hearing. From 1995 to 2004, Professor Wu was on the law faculty of Howard University. He has been an adjunct professor at Columbia University, a visiting professor at University of Michigan, and a teaching fellow at Stanford University.

# Presentation by Frank Wu

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- Michigan's Higher Education Community's response to and preparation for Connerly's anti-equal opportunity initiative (Proposal 2)
- Conversations and Actions: pre and post passage of Proposal 2
- The chilling effect of the initiative even before it was enacted
- Wayne State University Law School's plans for a new policy

# Question/Answer Session

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We encourage questions or comments.

Please use the chat feature located  
at the left of your screen.

We will address as many as time allows.

# Thank you for your participation

For additional information, please feel free to contact Isaac Leamer at (212) 764-1508 ext. 220 or [ileamer@publicinterestprojects.org](mailto:ileamer@publicinterestprojects.org).

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