

# Campus Diversity and Student Discontent: The Costs of Race and Ethnic Preferences in College Admissions

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## Executive Summary

For the sake of campus diversity, many colleges and universities pass over white and Asian American applicants with better academic preparation, favoring blacks and (to a lesser extent) Hispanics. CEO statistical research (logistic regression analyses) showed that underrepresented minorities (URMs) received significant preference over white and Asian American applicants with the same or better academic credentials.

- Statistically controlling for test scores, grades, in-state residency, gender, and legacy connections, odds ratios<sup>1</sup> showed large preferences awarded to blacks over whites in undergraduate admissions at the following universities: The University of Virginia; the College of William and Mary; the University of Wisconsin; the University of Michigan; Miami University-Ohio; and Ohio State. Moderate preferences were awarded at the University of Oklahoma.
- Odds ratios were found to favor Hispanics over whites at many of the same universities, but many were moderate in size.
- Whites also received preference over Asian Americans at several universities.
- At Harvard, being Asian American was the only statistically negative factor among more than 10 factors considered by the admissions committee.

Racial preference in admissions creates race consciousness and mismatch.

- Admissions committees keep the degree of mismatch secret.
- Mismatched students disproportionately drop out of STEM, change to non-STEM majors, transfer to other schools, and take longer to graduate.
- The academic disparities from mismatch continue throughout college.

Psychological costs associated with campus diversity and disparities are many.

- Black students experienced greater first-year “grade shock,” greater discounting of academic feedback, greater alienation, less attachment to the university, and greater dissatisfaction with their overall college experience.
- Pre-college academic factors were strong predictors of these psychological setbacks.
- Many URMs would have gone somewhere else had they known where they ranked.

In short, where mismatch is significant, those admitted under racial preference programs incur significant costs that flowed from the mismatch in pursuit of racial diversity.

Campus diversity was also correlated with a general sense of campus discontent among non-minority students and faculty, not just URMs.

- Greater campus diversity was correlated with more student unhappiness; less satisfaction with their quality of education; less work effort; and less satisfaction with the college experience.

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<sup>1</sup> An odds ratio in college admissions is the ratio of the odds of Group A being admitted versus the odds of Group B. Logistic regression enables the creation of odds ratios while controlling for multiple factors such as test scores, grades, gender, in-state residency, and legacy connections.

- Greater numerical diversity was also correlated with faculty discontent with the quality of education imparted by the college; faculty dissatisfaction with students' work ethic; and faculty unhappiness with students' pre-college preparedness. Among administrators, greater diversity was correlated with administrators' discontent with the quality of education provided by the college and administrators' dissatisfaction with students' preparedness for college

Prominent pro-diversity researchers now acknowledge that using race as a factor to produce racial/ethnic diversity does not produce the positive benefits enumerated in *Grutter*. Universities are now told that they need to foster feelings of inclusion among URMs.

- The responsibility for inclusion rests with them and non-minority students.
- They need to attend to URMs' lower sense of validation.
- URMs need more positive and numerous interactions with faculty.
- Universities need to hire more URM faculty and provide a more inclusive curriculum.

The goal is now inclusion. Numerical diversity is the pre-condition.

Researchers found that Asian Americans, experienced more “negative cross-racial interactions” —51% of Asian Americans compared to roughly a third of blacks and Hispanics and a quarter of whites.

Asian Americans and multi-racial students, not URMs, also reported more discrimination to their college/university.

## Introduction: The Ostensible Benefits of Diversity

In *Regents of Univ. of California v. Bakke* (1978), Justice Harry Blackmun summed up the contradiction of racial preference policies.

“In order to get beyond racism, we must first take account of race. There is no other way. And in order to treat some people equally, we must treat them differently.”<sup>2</sup>

Yet, using race as a form of compensating for past discrimination was supported by only four of the nine justices (Brennan, White, Marshall, and Blackmun).<sup>3</sup> In fact, two different blocs of four justices joined different parts of the Powell decision, resulting in six opinions.

Only Justice Powell put forth the diversity rationale—that it was constitutionally permissible for an institution of higher education to use race in admissions, only to achieve the “educational benefits that flow from an ethnically diverse student body.”<sup>4</sup>

To get these educational benefits, Powell highlighted Harvard’s holistic admission process as the model,<sup>5</sup> quoting extensively from Harvard’s description of its program and appending it to his opinion. “This kind of program treats each applicant as an individual in the admissions process,” Powell declared. “The applicant who loses out on the last available seat to another candidate receiving a ‘plus’ on the basis of ethnic background will not have been foreclosed from all consideration for that seat simply because he was not the right color or had the wrong surname.”<sup>6</sup>

Powell ignored the controversial history of Harvard’s vague admissions program. Harvard incorporated numerous non-academic factors as a way of keeping down the number of Jewish students without an explicit Jewish quota.

In *Grutter v. Bollinger*, a majority upheld Powell’s diversity rationale. Writing for the majority, Justice O’Connor used the word “benefits” about a dozen times.<sup>7</sup> (The word “costs” do not appear.) All were in reference to the only condition under which some racial groups can be favored over others—for the sake of the educational benefits that come from diversity. Race

<sup>2</sup> Harry Blackmun, *Regents of Univ. of California v. Bakke*, 438 U.S. 265 (1978), p. 407.

<https://supreme.justia.com/cases/federal/us/438/265/#tab-opinion-1952757>.

<sup>3</sup> See Terry Eastland’s analysis of *Bakke* and Powell’s diversity rationale in *Ending Affirmative Action: The Case for Colorblind Justice* (New York: Basic Books, 1996) p. 63-84.

<sup>4</sup> *Bakke*, p. 306.

<sup>5</sup> *Bakke*, p. 316. The description attached to Powell’s opinion was originally in the amicus brief submitted by Harvard, Columbia, Stanford, and the University of Pennsylvania.

<sup>6</sup> *Bakke*, p. 318.

<sup>7</sup> As observed by Terry Eastland in his analysis of O’Connor’s opinion in his forthcoming essay for the Center for Equal Opportunity. For a discussion of how the costs of using racial preferences to achieve diversity outweigh their purported benefits, see Roger Clegg, “Attacking ‘Diversity’: A Review of Peter Wood’s *Diversity: The Invention of a Concept*,” 31 *Journal of College and University Law* 417-436 (2005). For the cases, see *Grutter v. Bollinger*, 539 U. S. 306 (2003), <https://www.law.cornell.edu/supct/pdf/02-241P.ZO>; *Regents of Univ. of California v. Bakke*, 438 U.S. 265 (1978), <https://supreme.justia.com/cases/federal/us/438/265/#tab-opinion-1952757>.

cannot be used as general compensation. Black applicants to a college cannot be granted preference because of a history of slavery, discrimination, and prejudice against American blacks.

Diversity's benefits include breaking down racial stereotypes and better cross-racial understanding. Classroom discussions would be "livelier, more spirited, and simply more enlightening and interesting" when students come from different backgrounds.

O'Connor ruled that the university had a compelling interest in using race. She observed that the business, military, education, and legal elite all claimed how numerical diversity "promotes learning outcomes and better prepares students for an increasingly diverse workforce and society, and better prepares them as professionals." These benefits, according to O'Connor, were not theoretical but real.

In *Fisher v. Texas*, Justice Kennedy, writing for the majority, concluded that merely asserting the importance of the educational benefits of diversity writ large was insufficient. Diversity goals must not be "elusory or amorphous—they must be sufficiently measurable to permit judicial scrutiny of the policies adopted to reach them."<sup>8</sup> The burden would thus be on the university to show that the benefits of diversity could not be obtained by other means before explicitly turning to race in admissions.<sup>9</sup>



It's now over 40 years since *Bakke*. We need to ask after all these years: what are the costs of using race in admissions? Racial preference policies in admissions have not led to all the great benefits promised. This report focuses on the costs of racial preferences in admissions.

In Part I, I present data on changing demographics in admissions since *Bakke*: the increasing competitiveness of college admissions, changing demographics of college applicants, the racial preferences against Asian American applicants since the mid-nineties, and the relatively unchanged percentage of blacks attending elite universities.

Part II examines how preferences granted black applicants, Hispanics, and underrepresented minorities generally (i.e., often abbreviated as URMs), lead to academic disparities at the start of college between URMs (black freshmen especially) and the rest of the first-year class, and how these disparities have real academic consequences for URM college students.

In Part III, I look at the psychological and social costs of academic disparities created by race preferences: blacks' "discounting" of academic opinion, an increased institutional alienation, greater dissatisfaction with their college experience, and an over-all campus unhappiness among students, not just URMs. I then look at the social means by which URMs cope, in the form of racially/ethnically segregated dorms, study centers, sororities and

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<sup>8</sup> *Fisher v. University of Texas at Austin*, 579 U. S. \_\_\_\_ (2016) p. 12, [https://www.law.cornell.edu/supremecourt/text/14-981#writing-14-981\\_OPINION\\_3](https://www.law.cornell.edu/supremecourt/text/14-981#writing-14-981_OPINION_3).

<sup>9</sup> *Fisher*, p. 13-14.

fraternities, and graduations, and how such organizations in turn create *negative* diversity outcomes among both URMs and the rest of the student body.

Part IV is on how diversity advocates have “moved the goal posts.” They no longer push for numerical diversity but now push for inclusion. They concede that numerical diversity failed to provide the educational benefits. They argue that numerical diversity is just the pre-condition. Universities must be more inclusive. Part IV summarizes some of these major studies, including one by the U.S. Department of Education in 2016, *Advancing Diversity and Inclusion in Higher Education*.<sup>10</sup>

## Part I Changing Demographics

How students apply to college has changed significantly since *Bakke* and *Grutter*. Today, almost all schools require applicants use the College Board’s digital Common App, first used in the late 1990s. The use of the online Common App streamlines the process, whereby the same application, letters of recommendation, and other materials can be sent to multiple colleges. This technological innovation probably has done more to contribute to the number of applicants and extremely low admission rates at the most competitive colleges.<sup>11</sup> Students apply to so many colleges that the College Board has placed a limit of 20 colleges per student. The College Board recommends 5-8 applications per student, sent to a mix of “safe admissions” schools (almost guaranteed admissions), “probable admissions” colleges, and “reach” schools, with a low chance of admissions. Private consultants suggest clients apply to 7-10 colleges. The ease of admissions has resulted in over 20,000-40,000 students applying to the elite universities.

Harvard received over 40,000 applications in 2019 and ended up admitting 4.5%.<sup>12</sup> Yale received over 35,000 in 2020 and admitted 6.4%. UCLA received over a hundred thousand applications and admitted 12.4%.<sup>13</sup> The University of Virginia received almost 41,000 and admitted 24%. The University of North Carolina received roughly 45,000 and admitted 21%.<sup>14</sup>

As elite admissions rate dropped, demographic changes in the past half century also meant that the number of Asian Americans applying to and admitted to colleges soared. From the diversity perspective, preferences against Asian Americans would need to be added to the mix. As a result, racial preferences work against Asian American as well as white applicants.

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<sup>10</sup> U.S. Dept. of Education, *Advancing Diversity and Inclusion in Higher Education: Key Data Highlights Focusing on Race and Ethnicity and Promising Practices*, November 2016, <https://www2.ed.gov/rschstat/research/pubs/advancing-diversity-inclusion.pdf>.

<sup>11</sup> Jacoba Urist, “Is College Really Harder to Get Into Than It Used to Be,” *The Atlantic*, April 4, 2014, <https://www.theatlantic.com/education/archive/2014/04/is-college-really-harder-to-get-into-than-it-used-to-be/360114/>.

<sup>12</sup> In 1995, Harvard, received about 18,000 applicants and admitted 12%. “Acceptance Rate is Lowest of Ivies,” *Harvard Crimson*, April 12, 1995, <https://www.thecrimson.com/article/1995/4/12/acceptance-rate-is-lowest-of-ivies/>. See also *Report on Harvard College, 1995-2000*. January 2, 2001, <https://lewis.seas.harvard.edu/pages/report-harvard-college-1995-2000>.

<sup>13</sup> *U.S. News*, “University of California-Los Angeles,” 2020. <https://www.usnews.com/best-colleges/university-of-california-los-angeles-1315>. UCLA does not use race as a factor in admissions.

<sup>14</sup> *U.S. News*, “University of Virginia,” 2020, <https://www.usnews.com/best-colleges/uva-6968>; *U.S. News*, “University of North Carolina-Chapel Hill,” 2020, <https://www.usnews.com/best-colleges/uva-6968/applying>; <https://www.usnews.com/best-colleges/unc-2974/applying>.

- Colleges and Universities Pass Over More Qualified White and Asian American Applicants.

Research has shown since the 1990s that colleges and universities often reject white and Asian American applicants for blacks and to a lesser extent Hispanics with weaker academic credentials. As a research fellow for the Center for Equal Opportunity, I have published numerous studies of public institutions of higher education. Each study has found the same results—the most competitive public institutions use race as a factor and favor some ethnic groups over others.

Logistic regression analysis of a school’s applicant data shows consistently that the relative odds of admissions for blacks (and sometimes Hispanics) were significantly greater than admission odds for whites and Asian Americans while controlling for test scores, grades, gender, legacy connections, and residency status.

I present below the odds ratios generated by my statistical analysis of admissions data. Odds ratios are ratios of the relative odds of Group A being admitted as compared with Group B, while statistically controlling for other variables (test scores, grades, gender, and residency status).<sup>15</sup> Large odds ratios were those greater than 3.0, indicating a large degree of preference; moderate odds ratios were defined as between 1.5 and 3.0; small odds ratios were defined as 1.5 or less.

#### The University of Virginia and the College of William and Mary

The 2019 study compares 2016 and 2017 college admissions data from five Virginia universities. I shall focus here on the University of Virginia (UVA) and the College of William and Mary (WM), which had the largest odds ratios.<sup>16</sup> Statistical calculations controlled for multiple factors (test scores, high school GPAs, legacy connections, gender, and in-state versus out-of-state residency).

- Logistic regression analysis showed large preferences, i.e., large odds ratios, granted to black over white applicants at UVA and WM (6.75 to 1 at UVA and 19.77 to 1 at WM). WM also gave Hispanics a large degree of preference over whites (an odds ratio of 6.73 to 1 at WM). UVA gave some preference to Hispanics (i.e., a moderate Hispanic-white odds ratio of 2.07 to 1).
- White applicants received preference over Asian Americans at both schools.

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<sup>15</sup> For example, logistic regression has been used to calculate the odds ratio of smokers versus non-smokers getting lung cancer, controlling for demographic variables, daily cigarette consumption, and years smoked.

<sup>16</sup> The five universities were the University of Virginia (UVA), the College of William & Mary (WM), Virginia Tech (VT), James Madison University (JMU), and George Mason University (GMU). VT gave a small degree of preference to black over white applicants at VT (1.23 to 1). GMU gave a small preference to whites over blacks (0.75 to 1) and whites over Hispanics (0.60 to 1). See Althea K. Nagai, “Preferences in Virginia Higher Education,” September 10, 2019, <https://www.ceousa.org/attachments/article/1329/Preferences%20in%20Virginia%20Higher%20Education%20-%20September%202019.pdf>.

### University of Wisconsin-Madison<sup>17</sup>

The University of Wisconsin admissions committee granted extremely large preferences to blacks and Hispanics over whites in 2007 and 2008. It did not matter if the SAT or ACT was used in statistical analysis. Statistical calculations controlled for test scores, class rank, gender, in-state versus out-of-state residency, and legacy connections.

- Using the SAT and class rank, controlling for other factors, the black-over-white odds ratio was roughly 576 to 1, one of the largest in all our studies. The Hispanic-over-white odds ratio was almost as large (504 to 1).
- Using the ACT and class rank while controlling for other factors, the black-to-white odds ratio even larger (1330 to 1) as was the Hispanic-over-white odds ratio (1494 to 1).
- In contrast, whether using the SAT or ACT, the Asian American-white odds ratio was 1 to 1.

### The University of Michigan<sup>18</sup>

For the University of Michigan, regardless of whether one used the SATs or ACTs for statistical controls, the odds ratios showed the admissions committee granting a great deal of preference to its black applicants over white applicants with identical credentials for all four years studied (1999, 2003, 2004, and 2005). For both black and Hispanic applicants compared to whites, the odds ratios were all large. The most recent year analyzed (2005) showed the most severe discrimination.

Controlling for test scores, high school GPA, gender, legacy connections, and residency, odds ratios show that UM awarded a great deal of preference to blacks over whites in every single year.

- In 1999, 2003, and 2004, the odds were roughly 25 to 1 favoring blacks among students taking the SATs.
- The black-white odd ratio increased significantly in 2005, rising to 70 to 1

Odds ratios also showed Michigan granting substantial preferences to Hispanics over whites, controlling for other factors. The odds ratio of Hispanics over whites was 46 to 1 with the SAT and 48 to 1 with the ACT. Odds ratios also indicated that whites were favored over Asian Americans, although the odds ratios were small.<sup>19</sup>

In 2006, Michigan voters passed Proposal 2, that banned the use of race in public university admissions, public contracting, and public employment.

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<sup>17</sup> Althea K. Nagai, "Racial and Ethnic Preferences in Undergraduate Admissions at the University of Wisconsin-Madison," Center for Equal Opportunity, September 13, 2011, <https://www.ceousa.org/attachments/article/546/U.Wisc.undergrad.pdf>.

<sup>18</sup> Althea K. Nagai, "Racial and Ethnic Preferences in Undergraduate Admissions at the University of Michigan," Center for Equal Opportunity, October 17, 2006, [http://www.ceousa.org/attachments/article/548/UM\\_UGRAD\\_final.pdf](http://www.ceousa.org/attachments/article/548/UM_UGRAD_final.pdf). Odds ratios on p. 17.

<sup>19</sup> The white over Asian American odds ratio in 2005, using the SAT and other controls, was roughly 1.5 to 1.

### Miami University (MU) and Ohio State University (OSU)<sup>20</sup>

The relative odds of admission of a black over a white applicant at MU and OSU were large, controlling for test scores (either the SAT or ACT), grades, gender, residency, and year of admission.

- At MU, black-to-white odds ratios were 8.0 to 1 with the SATs and 10.2 to 1 with the ACTs.
- At OSU, the black-to-white odds ratios was 3.3 to 1 using the SAT and 7.9 to 1 using the ACT.

Hispanic-white odds ratios, controlling for other factors, were moderate in size at MU (2.2 to 1). OSU exhibited a strong admission preference of Hispanics over whites (roughly 4.3 to 1 with the SAT). Both schools also granted a modest degree of preference to Asian Americans over whites.<sup>21</sup>

### Undergraduate Admissions at the University of Oklahoma, 2005-2007<sup>22</sup>

Despite a relatively high overall admission rate (over 80%), there is evidence of some preference given to blacks in admission. Analysis was conducted controlling for ACT scores, high school GPAs, residency, and gender. There was a 2.2 to 1 black-white odds ratio in admissions.

There was little evidence of preference awarded to American Indians and Hispanics over whites, and whites over Asian Americans. Odds ratios of these other groups to whites were roughly 1 to 1 and not statistically significant.

### Harvard University

Changing demographics has meant a sharp increase in the Asian American college population but also elite schools capping the number of such students. I compared Asian American enrollment statistics at Harvard, MIT, and the California Institute of Technology (CalTech) over time.<sup>23</sup>

Caltech does not use race as a factor in admissions considerations. In 1980, Asian Americans made up 12% of undergraduates. By 1995, their percentage had more than doubled, to 30% and then climbed to above 40% of the student population in 2015. MIT uses race as a factor in admissions. The rise in number of Asian Americans at MIT is halted in the 1990s. From roughly 5% of the undergraduates in the 1980 and peaking at 29% in the mid-1990s, the percentage of Asian Americans at MIT stalled at around 26%.

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<sup>20</sup> Althea K. Nagai, "Racial and Ethnic Preferences in Undergraduate Admissions at Two Ohio Public Universities," February 14, 2011, <http://www.ceousa.org/attachments/article/547/OHIO3.7.pdf>

<sup>21</sup> For example, MU awarded preference to Asian Americans over whites, by 2.1 to 1 with the SATs. OSU awarded slight preference to Asian Americans over whites, by 1.5 to 1 with the SAT.

<sup>22</sup> Althea K. Nagai, "Racial and Ethnic Preferences in Admissions to the University of Oklahoma," October 2012, p. 3-4, for odds ratios on undergraduate admissions. [http://www.ceousa.org/attachments/article/624/Oklahoma\\_Study.pdf](http://www.ceousa.org/attachments/article/624/Oklahoma_Study.pdf).

<sup>23</sup> Althea K. Nagai, "Too Many Asian Americans? Affirmative Discrimination in Elite College Admissions," Center for Equal Opportunity, May 22, 2018, <http://www.ceousa.org/attachments/article/1209/AN.Too%20Many%20AsianAms.Final.pdf>.

At Harvard, there are two distinct patterns. The first period, from 1980 to 1993, shows a sharp increase. Asian American enrollment at Harvard was around 4% in 1980, rising to 21% by 1993, its high point. In the second period, Asian Americans as a percentage of undergraduates dropped to 17% and stayed at roughly the same level for more than 25 years. Harvard uses race as a factor in admissions, along with legacy connections.

A statistician in Harvard's Office of Institutional Research produced logistic regression coefficients predicting admissions from 2009 to 2016. To varying degrees, every other racial/ethnic group had preference over Asian Americans. Being Asian American was the only negative factor among more than 10 admission factors entered into the equation.<sup>24</sup>

Converting his regression coefficients to odds ratio, and controlling for other factors (including being a recruited athlete, the personal rating, legacy, extracurricular rating, academics, and family income), I found that the black-white odds ratio was 10.7 to 1; the Hispanic odds ratio was 3.6 to 1, and the white over Asian American odds ratio was 1.44 to 1.

Since *Bakke*, many universities have relied on racial preferences in admissions to increase campus diversity. Despite racial preferences at the most competitive universities, the percentage of blacks at these schools have remained pretty much the same in over 40 years, as the *New York Times* discovered.<sup>25</sup>

- Little Change in Percentage of Blacks at Elite Universities Since *Bakke*.

The *New York Times* analyzed enrollment data from the 1980s to 2015 for the different racial/ethnic groups.<sup>26</sup> Blacks as a percentage of first-year students stayed roughly the same since 1980—about 6%. At the most elite level, black students made up 9% of the freshmen at Ivy League schools, although blacks were 15% of college-age Americans. This was roughly the same disparity as in 1980, with exceptions of a few state universities where the use of racial preferences was banned by voters. (The argument for retaining racial preferences is that without it, the percentage of blacks at elite schools would plunge.)

Hispanics as a percentage however has increased significantly, in many places without the use of racial preferences. But, as the *Times* points out, it is not nearly as much as the growth in the Hispanic young adult population. In 1980, Hispanics were less than 5% of elite undergraduates, rising to 13% by 2015. The largest growth has been in California, where the state constitution bans the use of race in higher education admissions. At Berkeley and UCLA,

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<sup>24</sup> Althea Nagai, "Harvard Investigates Harvard," Center for Equal Opportunity, August 30, 2018, <https://ceousa.org/attachments/article/1237/CEO%20Study%20Harvard%20Investigates%20Harvard.pdf>. See the section, "Stats-Talk," (p. 13) for Harvard's coefficient estimates.

<sup>25</sup> Jeremy Ashkenas, Haeyoun Park, and Adam Pearce, "Even with Affirmative Action, Blacks and Hispanics are More Underrepresented at Top Colleges than 35 Years Ago," *New York Times*, August 24, 2017, <https://www.nytimes.com/interactive/2017/08/24/us/affirmative-action.html>.

<sup>26</sup> The researchers looked at the public flagship universities for all fifty states, the University of California campuses, the Ivy League, other elite universities (e.g., Duke, the University of Chicago), and elite liberal arts colleges (e.g., Swathmore, Bowdoin, Claremont McKenna).

both in the top 25 of all national universities,<sup>27</sup> by 2015, Hispanics made up roughly 15% of enrollees at Berkeley and 24% at UCLA, without the use of racial preferences.

As the head of the American Council on Education noted, relying on racial preferences in admissions is not a magic bullet.<sup>28</sup> For many blacks, barriers to entry at the elite level start many years before applying to college.

- Universities Ignore the Barriers Occurring Long Before College.

“There’s such a distinct disadvantage to begin with,” observed David Hawkins, executive director of the National Association for College Admission Counseling. “A cascading set of obstacles all seem to contribute to a diminished representation of minority students in highly selective colleges.”<sup>29</sup>

College administrators, college counselors, and K-12 researchers agree that burdens and barriers to college, especially at the elite level, occur long before students apply—bad teachers, inadequate courses, inferior technology, and weak peer, family, and community support. These remain the systemic reasons for no significant rise in blacks at the most competitive colleges. Without serious K-12, neighborhood, and community reform, racial preferences favoring blacks and Hispanics at the elite level would be in perpetuity, not ending in 25 years as Justice O’Connor had hoped.

The U.S. Department of Education, in a report on inclusion in 2016, lists the obstacles facing URMs wanting to go to college, including the family, neighborhood, peer group, and school quality.<sup>30</sup> The report urges universities to get involved years before URM students apply, citing a real need for universities to work with the K-12 school systems in URM communities. University personnel should advise and help prospective high school students take college-level work. University personnel need to mentor young minority students who are still in middle school. University counselors should provide test prep programs at local high schools. University personnel should provide one-to-one help, especially in getting financial aid.

In other words, elite universities have ways to increase student diversity without first relying on race as a factor in admissions. It does require some work on the part of the university to reach out to the community and mentor prospective students. Using race in admissions is clearly simpler.

Once these students start matriculating, other related problems emerge.

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<sup>27</sup> See individual college descriptions, *US News*, “2021 Best National University Rankings,” <https://www.usnews.com/best-colleges/rankings/national-universities>.

<sup>28</sup> Terry Hartle, quoted in Ashkenas, Park, and Pearce, “Even with Affirmative Action, Blacks and Hispanics are More Underrepresented,” *New York Times*, August 24, 2017.

<sup>29</sup> Quoted in Ashkenas, Park, and Pearce, “Even with Affirmative Action, Blacks and Hispanics are More Underrepresented.”

<sup>30</sup> U.S. Dept. of Education, *Advancing Diversity and Inclusion*, especially p. 38-40.

## Part II How Diversity Creates Race Consciousness and Mismatch

The admission process mismatches black and Hispanics with elite institutions, increasing the likelihood of lower grades, changing to easier majors, and a lower probability of noncompletion. In *Mismatch*, Richard Sander and Stuart Taylor reviewed the studies of academic disparities in higher education, where blacks and Hispanics (i.e., URM) start college with significantly lower academic credentials and less academically challenging classes compared to Asian Americans and whites.<sup>31</sup> Such mismatches increase the likelihood of URM having lower college grades, transferring, and taking longer to graduate.<sup>32</sup>

Research has shown that blacks and Hispanics who enter colleges with significantly lower academic skills and preparation incur significant academic and psychological costs. In the next section, I summarize the 4-year results of a study of Duke University undergraduates, the actual extent of mismatch, and the gap between URM's academic expectations and reality.

- What Happens When Universities Keep Mismatch a Secret

Peter Arcidiacono, Esteban M. Aucejo, Hanming Fang, and Kenneth I. Spenner found extensive mismatches in their 2011 study of Duke University undergraduates.<sup>33</sup> Blacks and Hispanics on average entered with significantly lower test scores compared to whites and Asian Americans. For the Duke first-year class, the total SAT scores (verbal plus math) were as follows: blacks, 1281; Hispanics, 1349; Asian Americans, 1464; and whites, 1417.

The mismatch however was more than just SAT scores. Admissions officers rated all applicants on a five-point scale. Blacks and Hispanics received lower ratings on other academic and personal factors—on general achievement, difficulty of high school curriculum, the applicant essay, letters of recommendations, and personal qualities.<sup>34</sup>

Entering students did not know their academic standing relative to the rest of the entering class. Duke's secret in turn led to greater disappointment at the end of the first year.

The researchers asked entering students what they expected their GPAs to be at the end of the year and then compared the expectations with actual first-year GPAs. All groups generally ended the year with lower GPAs than they expected. But URM showed a significantly greater difference between GPA expectations and actual first-year GPAs, or what the authors refer to as

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<sup>31</sup> Richard H. Sander and Stuart Taylor, Jr., *Mismatch: How Affirmative Action Hurts Students It's Intended to Help and Why Universities Won't Admit It* (New York: Basic Books, 2012). In Sander's own research on law students, he found that law students admitted with lower college grades and LSAT scores (who were disproportionately URM) graduated with lower class ranks and were less likely to pass the state bar exam on the first attempt. "[T]he bad grades that the vast majority of blacks were getting in law school were foreshadowing bad performance on the bar." Sander and Taylor, p. 59. His regression analyses suggest that the mismatch "was roughly doubling the rate at which blacks failed bar exams." Sander and Taylor, p. 60.

<sup>32</sup> Sander and Taylor always acknowledge the presence of blacks and Hispanics with the same academic credentials as their white and Asian American counterparts. These are not the ones running into subsequent problems later on.

<sup>33</sup> Peter Arcidiacono, Esteban M. Aucejo, Hanming Fang, and Kenneth I. Spenner, "Does Affirmative Action Lead to Mismatch? A New Test and Evidence," *Quantitative Economics*, 2 (2011): 303–33, <https://onlinelibrary.wiley.com/doi/pdf/10.3982/QE83>.

<sup>34</sup> Arcidiacono, Aucejo, Fang and Spenner, "Does Affirmative Action Lead to Mismatch?" 2011, p. 313.

greater negative “grade shock.” Blacks expected a GPA of 3.44, but ended with a GPA of 2.90—a difference of over half a grade-point. Hispanics expected a 3.53, but ended with a 3.13. For whites, the expected GPA was a 3.51; the actual GPA was 3.33. Asian Americans expected a GPA of 3.67 and ended with a GPA of 3.40.

More significantly, had they known about the extent of the mismatch, many Duke URMs said in retrospect that they would have enrolled elsewhere. The authors recommended that universities provide more information regarding where prospective matriculants stand relative to the rest of the class. Prospective enrollees could then make more informed choices when deciding whether to enroll at Duke or someplace else.

- Costs to Mismatched Students: Dropping Out of STEM.

Duke University. In the STEM fields at Duke, the mismatches also resulted in racial differences in starting, persisting in, and completing a STEM major. By graduation, only 16% of blacks and 18% of Hispanics starting in STEM ended as STEM graduates. 41% of Asian Americans and 25% of whites who started in STEM stayed in STEM. The rest switched to majors in the humanities and social sciences.<sup>35</sup>

In 2012, Arcidiacono, Aucejo, and Spenner analyzed grade convergence between black and white students over four years at Duke.<sup>36</sup> It is commonly noted that the college GPA gap between blacks and whites narrows over the four years. In their first year at Duke, whites had a mean STEM GPA of 3.10, compared to a 2.40 for blacks. By their senior year, the white GPA in STEM was 3.46, compared to the black STEM GPA of 3.03. Black STEM GPAs rose significantly and the disparity was smaller than the first year.

This reduction of grade disparities seems to support those in favor of racial preferences, who argue that URMs over time take advantage of college resources and catch up to their white and Asian American counterparts.

Did blacks in STEM catch up by their senior year? The researchers found that the smaller disparity by the fourth year disappeared when statistically controlling for changing majors. The declining grade disparities between blacks and whites in STEM was a function of more blacks moving out of STEM and into the humanities and social sciences.<sup>37</sup>

The black-white differences in STEM GPAs and movement out of the field could be predicted by four factors: 1) prior high school preparation in STEM; 2) SAT scores; 3) where a first-year student ranked compared to the rest of his/her cohort; and 4) performance during the first year.

Ivy League Schools. Mismatch effects in STEM were found as far back as the 1980s. Elliot, Strenta, Adair, Matier and Scott, with data and support from four of the most elite colleges

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<sup>35</sup> Arcidiacono, Aucejo, Fang and Spenner, “Does Affirmative Action Lead to Mismatch?” 2011, p. 324.

<sup>36</sup> Peter Arcidiacono, Esteban M. Aucejo, and Ken Spenner, “What Happens After Enrollment: An Analysis of the Time Path of Racial Differences in GPA and Major Choice,” *IZA J Labor Econ* 1, 5 (2012), <https://izajole.springeropen.com/articles/10.1186/2193-8997-1-34>.

<sup>37</sup> Arcidiacono, Aucejo, and Spenner, “What Happens After Enrollment,” 2012, p. 19.

(and with funding from the National Science Foundation and the Sloan Foundation) examined the relative paucity of black STEM graduates in 1988.

Proportionately more blacks at these colleges started out with the intent to major in STEM (45% versus 41% of whites). Black students however started with significantly weaker preparation—a median math score of 607 versus 714 for whites; fewer AP science and math courses; and lower high school science GPAs. By college graduation, of blacks intending to be STEM majors, only 34% finished in their STEM field, compared to 61% of whites with the same intent.<sup>38</sup>

Mismatch at 28 Schools. Mismatches and its negative consequences were also found in a 2004 study of STEM students at 28 schools that varied in their admissions competitiveness.<sup>39</sup> Smyth and McArdle found that high school academic preparation predicted how students performed in STEM. Strong high school credentials relative to one’s college classmates generally meant staying in the sciences and graduating with a science degree. Those who entered an elite school with weaker credentials than their classmates were less likely to finish as STEM majors. Others with those same entering credentials but at a less elite school (where they would be in the middle or above their class) had a significantly greater likelihood of STEM completion. Smyth and McArdle conclude:

“Admission officials are advised to carefully consider the relative academic preparedness of science-interested students, and such students choosing among colleges are advised to compare their academic qualifications to those of successful science students at each institution.”<sup>40</sup>

University of California System. In a STEM study of California students, Arcidiacono, Aucejo, and Holtz examined the mismatch in credentials and graduation rates in STEM in the University of California (UC) system before California voters banned the use of race in public higher education admissions.<sup>41</sup> At Berkeley, roughly 30% of URMs and 49% of non-URMs intended to major in STEM. SAT scores for URMs were significantly lower compared to whites at every campus, and Berkeley and UCLA had the largest gaps—193 and 161 points, respectively.

Moreover, those with weaker high school STEM credentials were more likely to change majors and to take longer to graduate. 65% of STEM URMs changed majors compared to 38% of non-URMs. After five years, only 14% of the STEM URMs compared to 38% of non-URMs graduated with a STEM degree.

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<sup>38</sup> Rogers Elliot, A. Christopher Strenta, Russell Adair, Michael Matier, and Jannah Scott, “The Role of Ethnicity in Choosing and Leaving Science in High Selective Institutions,” *Research in Higher Education*, 37, #6 (1996): 681-709. Also discussed in Sander and Taylor, p. 33-38.

<sup>39</sup> Discussed in Sander and Taylor, p. 39-40. Frederick Smyth and John McArdle, “Ethnic and Gender Differences in Science Graduation at Selective Colleges with Implications for Admission Policy and College Choice,” *Research in Higher Education*, 45 #4 (2004): 353-81.

<sup>40</sup> Smyth and McArdle, p. 353.

<sup>41</sup> Peter Arcidiacono, Esteban M. Aucejo, and V. Joseph Hotz, “University Differences in the Graduation of Minorities in STEM Fields: Evidence from California,” *American Economic Review*, 106, #3 (2016): 525-62.

The authors then matched the credentials of URMs at the selective UC universities with URMs at less competitive UC schools. URMs with SATs in the bottom quartile at Berkeley were less likely to finish in STEM and graduate in five years compared to URMs with similar entering credentials at the less competitive campuses, even though the Berkeley students had better credentials and backgrounds (e.g., college-educated parents, higher income neighborhoods).

In other words, URMs at the more selective universities with weaker pre-collegiate STEM credentials compared to their classmates would have been more likely to major and graduate on time in STEM *if they had attended a school better matching their STEM qualifications*.

Admissions committee fail URMs by ignoring where they stand relative to non-URMs, and universities fail these URMs by not telling them where they stand academically. URM students need such information to make truly informed choices.

In 2008, the issue of STEM education and racial disparities led to the U.S. Commission on Civil Rights holding briefings on URMs and STEM careers. A final report was published in 2010.<sup>42</sup>

- The U.S. Civil Rights Commission Weighs in On Mismatch

The Commission heard from five experts (Richard Sander, Richard Tapia, Rogers Elliot, Thomas Fortmann, and Robin Willer), who testified and submitted statements regarding URMs and disparities in STEM.

Richard Sander.<sup>43</sup> Using data from the University of Michigan (1999), Sander found that black matriculants with relatively low scores on Michigan's academic index (low scores being an indicator of receiving large admissions preference) were less likely to major in STEM and graduate compared to those with high academic index scores.<sup>44</sup>

Using data from the National Longitudinal Survey of Freshmen (NLSF), Sander found that of those with strong entering credentials, black students had higher rates of STEM graduation compared to whites.<sup>45</sup>

Using data from the University of California (UC) schools (1992-2006), he found that the best predictor of majoring in STEM and graduating with a STEM degree was entering academic credentials. Sander estimated that entering academic credentials accounted for 60-75% of the black/Hispanic versus white/Asian American disparities in STEM performance.<sup>46</sup>

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<sup>42</sup> US Commission on Civil Rights [USCCR], *Encouraging Minority Students to Pursue Science, Technology, Engineering and Math Careers*. Washington, DC US Commission on Civil Rights. 2010. <https://www.usccr.gov/pubs/docs/EncouragingMinorityStudentsinScienceCareers.pdf>.

<sup>43</sup> USCCR, *Encouraging Minority Students*, p. 7-20.

<sup>44</sup> USCCR, *Encouraging Minority Students*, p. 15. Blacks with low academic index scores also had a graduation rate of 21%. Blacks admitted with a high academic index score had a graduation rate of 73%.

<sup>45</sup> USCCR, *Encouraging Minority Students*, p. 8.

<sup>46</sup> USCCR, *Encouraging Minority Students*, p. 16.

Comparing students with the same entering credentials but at different UC schools showed that at Berkeley and UCLA, they would be significantly worse off than at other less competitive schools. They would have a lower probability of STEM persistence and STEM completion, often at half the rate compare to those at less selective schools.<sup>47</sup>

Sander then analyzed data from the Collegiate Learning Assessment Study, of 200 colleges, to see what variables (SAT scores, degree of mismatch between the student and peers, race, and/or gender) best predicted majoring in mathematics as a college senior. The degree of mismatch was the strongest predictor of being a 4<sup>th</sup>-year math major. SATs were also highly correlated, but not gender and race when controlling for these other factors.<sup>48</sup>

Sander's analyses from three different datasets show that the academic mismatch found at the start of their first year impacted subsequent STEM persistence and STEM graduation. The larger the mismatch, the greater the likelihood of STEM attrition. Sander concludes that the cause of the larger mismatch was racial/ethnic preference policies in admissions. Students were best served attending schools that best matched their entering academic credentials.

Rogers Elliot.<sup>49</sup> Elliot concurred with Sander. His research on four Ivy League colleges was early evidence of mismatch, and racial preferences at the most competitive schools hurt rather than helped many black students who hoped for careers in STEM. Elliot obtained data on students at four Ivy League schools, from 1988 and 1992, including their SAT scores, high school grades, and college transcripts. These schools were and are some of the most competitive in the country. Elliot stated that the black versus white/Asian American test score gap has widened since his study in 1996 and was now over 200 points.

Elliot and colleagues found that disparities in STEM graduates and occupations was *not* a function of URMs being less interested in STEM; roughly the same percentage in each racial/ethnic group sought to major in STEM. Continuing in a STEM field however dropped off significantly for blacks (34%), compared to Hispanics (56%), and whites/Asian Americans (62%). Elliot stated that at this elite level, dropping out of STEM meant changing majors but staying at the school. Elliot observed that someone in the top third of SAT math scores at a very selective school would have a math score of 753 and a 50 percent probability of completing a STEM degree. A student in the middle third, with a math score of 674, would have a 31% chance of getting a STEM degree, while the same score at a moderately selective school would give the student a 49%-62% chance. Lastly, a math score at the bottom third at the very selective school predicted a 15% chance of getting a STEM degree, but more than double the completion probability at a less selective school.

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<sup>47</sup> USCCR, *Encouraging Minority Students*, p. 9-10, Blacks and Hispanics at UCLA and Berkeley entering with equal or better credentials than the school median would not be mismatched. They would be as likely or more likely to finish as the rest of their cohort.

<sup>48</sup> USCCR, *Encouraging Minority Students*, p. 10; p. 20.

<sup>49</sup> USCCR, *Encouraging Minority Students*, p. 22-26. His research with Strenta, Adair, Matier, and Scott was described previously in this report and reprinted as Elliot's statement to the Commission.

Elliot conceded that a degree from a highly selective school was very valuable, but he did not know of a solution regarding black students' lower persistence and completion in STEM. The only solution, all other things being equal, would be attending a much less selective school.

Richard Tapia.<sup>50</sup> Tapia is the Rice University Professor of Engineering and Director of the Rice Center for Excellence and Equity in Education. Rice University has produced the largest number of URM STEM PhDs in the country. Based on his work at Rice, his comments focused on graduate education in STEM.

Tapia did not oppose the disparity statistics as provided by Elliot and Sander. He disagreed strongly with the remedy of having mismatched URMs go to less selective schools. Tapia observed that the most selective national universities like Rice hire faculty with PhDs from comparably selective schools. The problem with the Sander and Elliot suggestions is that job candidates from less selective places with more minorities would not be considered for faculty jobs at the top universities. It would “perpetuate the stereotype that minorities received inferior STEM education.”<sup>51</sup> For Tapia, successful URMs in STEM is not merely about producing large numbers. The goal is to break the stereotype of URMs being poor at math and science.

At Rice, the focus is on cutoff scores. Applicants with scores under the cutoff would have little chance of succeeding and are not admitted to the graduate program. Admittees include those “on the threshold but will succeed with good mentoring.”<sup>52</sup> Test scores, he noted, are better able to predict at the lower ranges than at the upper ones. Also, other factors such as college grades come into play. A graduate student with lower college STEM grades from a top school was “stronger” than one with high college grades from what he calls a less-selective “minority-serving” school.<sup>53</sup>

He lists three stages where the STEM system breaks down and what should be done. At the K-12 level, talented URMs should be identified early (elementary and middle school) and groomed to enter magnet schools. Performing well at the magnet school, these URMs should be guided towards applying to competitive undergraduate institutions. At the college level, open admissions and URM-oriented schools should adopt a format much like the magnet school format in K-12 education. They should create top-level “colleges” within their undergraduate college, in selected fields such as STEM, and limit course enrollment to their best students. These well-prepared students would be ready for PhD studies at the top national universities.

At the graduate school level, Tapia stressed repeatedly that active mentoring significantly increases URM retention. It requires active faculty involvement and fighting URM isolation. The recommendations of Sander and Elliott would let the administration and faculty at the top universities “off the hook.”<sup>54</sup>

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<sup>50</sup> USCCR, *Encouraging Minority Students*, p. 21-22; p. 27-43.

<sup>51</sup> USCCR, *Encouraging Minority Students*, p. 21.

<sup>52</sup> USCCR, *Encouraging Minority Students*, p. 21.

<sup>53</sup> USCCR, *Encouraging Minority Students*, p. 21; see also p. 42- 43.

<sup>54</sup> USCCR, *Encouraging Minority Students*, p. 43.

Thomas E. Fortmann.<sup>55</sup> With a PhD in electrical engineering, Fortmann taught for four years at the university level, spent 24 years at as an engineer and executive, and taught math to URM high school students. Fortmann founded an institute of mathematics for elementary school teachers and served on the Massachusetts Board of Elementary and Secondary Education.

Fortmann views disparities in STEM as a problem starting long before college. He emphasized *the cumulative nature of mathematics*. One can't do calculus unless one has mastered algebra. One can't learn algebra without mastering fractions.<sup>56</sup> In Fortmann's view, it is necessary to deal with the poor mathematics knowledge and skills among elementary and middle school teachers. But how do you significantly improve teachers' math skills? And how does a school get rid of bad teachers? Among 5<sup>th</sup> and 6<sup>th</sup> grade teachers, 57% could not answer the question, "75 is 30% of what number?" And three out of four were unable to come up with two numbers between  $1\frac{2}{5}$  and  $1\frac{41}{100}$ .<sup>57</sup>

Fortmann's answer is education transformation: "school choice, teacher preparation and certification, professionalization of teaching, STEM teaching career ladders, differentiated pay scales and incentives, collective bargaining, accountability, standards-based testing, and school leadership."<sup>58</sup> Without such reform, the lack of competitive URMs in elite colleges will never be solved.

Robin Willner.<sup>59</sup> Willner is the Vice President of Global Community Initiatives for the IBM Corporation, in charge of "Reinventing Education," a philanthropic initiative in K-12 school reform. Before joining IBM, she was Executive Director for Strategic Planning for the New York City Public Schools and the chief policy advisor to the chancellor, in charge of evaluation, research, testing, and data collection.

Willner focused her remarks on IBM and its various STEM program with Hispanic students. Hispanics make up only 1.5% of STEM doctorates, while the Hispanic high school dropout rate was double that of blacks and triple that of whites. Major causes were poverty, lack of English language skills, lack of English-speaking role models, and a lack of adequate parental involvement due to long work hours, language barriers, poor education, and differences in cultural attitudes.

Willner argued for the need to recruit and retain STEM teachers, including those seeking second careers in teaching, such as one offered IBM employees and sponsored by IBM. The way to counter minority attrition in STEM is by placing them in the most selective programs where they can succeed. This high-level placement at the college level requires involvement of peers and their community. It requires mentors, internships, financial aid, and a general increase in the Hispanic high school graduation rates.

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<sup>55</sup> USCCR, *Encouraging Minority Students*, p. 26-27; p. 68-70.

<sup>56</sup> USCCR, *Encouraging Minority Students*, p. 69.

<sup>57</sup> USCCR, *Encouraging Minority Students*, p. 69.

<sup>58</sup> USCCR, *Encouraging Minority Students*, p. 70.

<sup>59</sup> USCCR, *Encouraging Minority Students*, p. 27-28; p. 71-74.

There were substantial points of agreement among the experts. Larger disparities in entering URM STEM preparation reduces the likelihood of URM STEM persistence and graduation. Disparities were largest at the most selective schools. In this regard, Sander and others make the important point—that mismatches are context dependent and relative. A relatively low math score at the most selective schools would not be a low score at a less competitive place. High school credentials of blacks at the most selective STEM schools, especially their SAT scores, place them in the bottom quartile of their entering class. They are more likely to change majors, transfer, and, for those who remain, take longer than five years to graduate.

Ultimately, STEM completion is predicted by entering academic credentials, not race. It just so happens that racial preferences result in URM enrollees at the most competitive schools ending up in the bottom quartile of their class.<sup>60</sup> How to remedy the mismatch was a point of disagreement at the hearings. Panelists Sander and Elliot argued for ending racial preferences in admissions. Tapia argued for admissions of such students coupled with considerable faculty, peer, and administration support. Tapia also emphasized the need to find promising URMs early in the K-12 education system and support them throughout. Fortmann and Willner also focused on the deficiencies of K-12 education and the importance of family, peer, and community support. Fortmann emphasized the poor math knowledge and poor skills of elementary and middle school teachers and the importance of dealing with the problem starting with the teachers at this level.

The disparities between URMs and whites/Asian Americans from the start of college and throughout raises the questions addressed in Part III of this report—the social and psychological costs of these disparities. The Supreme Court repeatedly mentioned the benefits of diversity—greater cross-racial integration, better cross-racial understanding and better learning outcomes. The studies below examine the costs.

### **Part III The Psychological Costs of Disparities**

- Beneficiaries of Racial Preference Experience Greater First-Year “Grade Shock” and Other Psychological Costs.

Duke University. As discussed earlier, Arcidiacono, Aucejo, Fang, and Spenner asked entering students what they expected their GPAs to be at the end of their first year. The researchers then compared these expectations with their actual grades.<sup>61</sup>

With regards to their expected first-year grades, there was no statistically significant difference among racial groups.<sup>62</sup> And all groups ended the year with lower GPAs than expected. Blacks and Hispanics however showed significantly larger differences between their expected and their actual GPAs. The authors refer to this as negative “grade shock”—a difference between GPA expectations and actual GPAs.

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<sup>60</sup> Sander and Taylor, p. 36-38. Sander and Taylor note however that there are black students who would be admitted even without racial preferences in admissions. The likelihood of them attending any particular school is relatively small since they often receive several offers from the most selective schools.

<sup>61</sup> Arcidiacono, Aucejo, Fang and Spenner, 2011, p. 312-314.

<sup>62</sup> Arcidiacono, Aucejo, Fang and Spenner, 2011, p. 313.

When the researchers examined the psychological impact of first-year “grade shock” over four years, the authors found that the larger the negative grade shock in the first year, the greater the student discontent with their final major, the greater their general unhappiness, and the greater their negative feelings towards the university.<sup>63</sup>

The authors controlled for race and gender in their statistical analysis, thereby showing that “grade shock” had an independent effect on overall feelings. Greater dissatisfaction was *not* a function of simply being a black student at Duke. But for many URMs (especially black students), it was the results of mismatch. It was ultimately racial preference practices that resulted in these negative results.

The authors conclude that when universities withhold information (such as where prospective students would rank relative to their classmates), they deprive URMs of making informed choices that might help students adjust expectations and better prepare for subsequent academic performance and overall psychological satisfaction.<sup>64</sup>

UCLA. Psychologists Sidanius, Levin, van Laar, and Sears surveyed UCLA’s entering students in 1995, before California banned the use of race in admissions. They then surveyed these students at the end of their first year and at the same time every year after that.<sup>65</sup>

They found that *pre-collegiate qualifications were the largest predictors of psychological issues* in college. And at UCLA, like Duke, blacks and Hispanics entered with weaker academic preparation. For example, entering whites had SAT math scores 90 to 100 points higher and SAT verbal scores 80 points higher than the entering black and Hispanic students.<sup>66</sup> At the end of their first year, blacks and Hispanics ended their freshman year with significantly lower GPAs than whites. Blacks and Hispanics continued to have lower GPAs for the next three years, of roughly a third of a grade-point.<sup>67</sup> Black and Hispanic students were also more likely to drop out and less likely to finish in seven or fewer years.

In terms of psychologically reacting to mismatch, blacks in particular engaged in more of what Sidanius et al. call “academic discounting and disidentification.”<sup>68</sup> They gave less weight to course grades and faculty assessments compared to whites. They generally saw academics as less important to their self-concept and had less sense of community attachment and “belonging,” in this case, the community being UCLA.<sup>69</sup> Blacks however entered with and maintained greater

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<sup>63</sup> There were also cases of positive grade shock, where the more actual grades exceeded expectations in the first year. For such students, by the end of the senior year, the happier they were, the greater their satisfaction with their final major, and the more positively they felt about attending Duke again.

<sup>64</sup> (p. 326).

<sup>65</sup> Jim Sidanius, Shana Levin, Colette van Laar, and David O. Sears, *The Diversity Challenge: Social Identity and Intergroup Relations on the College Campus* (New York: Russell Sage, 2008), 250-91.

<sup>66</sup> The researchers did not make public the actual mean scores but provided a graph comparing the groups. Differences are my estimates. Sidanius et al., *The Diversity Challenge*, 254.

<sup>67</sup> Sidanius et al., *The Diversity Challenge*, p. 257. Hispanics however had a greater sense of belonging.

<sup>68</sup> Sidanius et al., *The Diversity Challenge*, p. 258-61.

<sup>69</sup> Sidanius and colleagues created a “feeling of belonging” scale. The scale combined responses from three survey items: 1) that UCLA students are all part of one group; 2) that students at UCLA belong to different groups; and 3)

self-esteem than whites throughout, although the black-white self-esteem gap narrowed somewhat by the end of four years.

Pre-collegiate academic disparities between URMs and whites/Asian Americans were thus associated with the following academic outcomes for URMs:

- persistently lower college GPAs;
- less likelihood of remaining in STEM major; and
- taking longer to graduate.

These pre-college academic factors were also strong predictors of several psychological outcomes:

- less satisfaction with their final major;
- discounting and dismissing academic feedback;
- a greater sense of not belonging; and
- greater dissatisfaction with their overall college experience.

Clearly, where the mismatch is significant, those admitted under racial preferences experienced significant psychological as well as academic costs, ultimately flowing from mismatch in pursuit of racial diversity on campus.

The next study found that campus-wide feelings of discontent (not just for mismatched students) were also correlated with greater campus

- Greater Campus Diversity Related to Greater Campus Unhappiness Among Students in General.

In 1999, three prominent political scientists, Stanley Rothman, Everett Carl Ladd, and Seymour Martin Lipset, directed a survey of over 4,000 students, faculty, and administrators from 140 colleges and universities of different sizes.<sup>70</sup> Rothman and Lipset, with Neil Nevitte, later published a study based on the survey, examining the relationship between campus diversity and respondents' perceptions of educational quality.

They found that the conventional wisdom, that educational benefits come from greater diversity, could not be shown.

“When student, faculty, and administrators' evaluation of the educational and racial atmosphere were correlated with the percentage of minority students enrolled at a college or university, the predicted positive associations of educational benefits and inter-racial understanding failed to appear.”<sup>71</sup>

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that UCLA promotes positive interaction between groups. Greater feelings of not belonging were associated with lower college GPAs, which were predicted by weaker entering academic preparation. Sidanius et al., p. 273.

<sup>70</sup> The survey was a stratified random sample by institutional type (e.g., liberal arts college, doctoral-granting university).

<sup>71</sup> Stanley Rothman, Seymour Martin Lipset, and Neil Nevitte, “Does Enrollment Diversity Improve University Education?” *International Journal of Public Opinion*, 15, (2003): 8-26. For a popular version of the piece, see Stanley Rothman, Seymour Martin Lipset, and Neil Nevitte, “Racial Diversity Reconsidered,” *The Public Interest* 2003 (Spring): 25-38.

Their claims are too modest. When controlling for a host of other factors,<sup>72</sup> *greater campus diversity predicted more student unhappiness* for the general student population, not just URMs.

More specifically, when controlling for other factors, greater campus diversity was statistically related to the following:

- significantly less student satisfaction with the quality of their education;
- significantly less student work effort for class; and
- significantly less student satisfaction with their overall undergraduate experience.

More campus diversity also meant more discrimination, but not in predicted ways.<sup>73</sup> Among black respondents, there was no correlation between campus diversity and discrimination. Most of the feelings were from white students' claiming discrimination.<sup>74</sup>

Greater campus diversity also predicted greater faculty discontent. Greater campus diversity was correlated with:

- greater faculty dissatisfaction with how well the school educates its students;
- greater faculty unhappiness with their students' work ethic; and
- more faculty thinking that students lacked pre-collegiate preparedness.

Among administrators, greater campus diversity was correlated with greater administrators' dissatisfaction with how well the school educated its students. Greater diversity was also correlated with administrators' inclination to see students as less ready for college.<sup>75</sup>

In a subsequent book based on the same data, Rothman, April Kelly-Woessner and Matthew Woessner examined other questions dealing with campus diversity.<sup>76</sup>

- Eight in ten students and more than half of the faculty sample rejected racial preferences in admissions and jobs;
- Most administrators were in favor (52%).

When asked in greater detail if more minorities should be admitted even if it meant lowering academic qualifications, only 25% of students agreed, compared to 41% of faculty and 44% of administrators.<sup>77</sup>

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<sup>72</sup> The other factors included the institution's admission rate, size, whether it was public or private, and whether it was a liberal arts college.

<sup>73</sup> Rothman, Lipset, and Nevitte, "Does Enrollment Diversity Improve University Education?" p. 20, Table 2.

<sup>74</sup> Rothman, Lipset, and Nevitte, "Racial Diversity Reconsidered," p. 36. Did the survey uncover real unfair treatment or was it all imagined? There is no way to know.

<sup>75</sup> For faculty statistics, see Rothman, Lipset, and Nevitte, "Does Enrollment Diversity Improve University Education?" p. 21, Table 3. For administration statistics, see Rothman, Lipset, and Nevitte, "Does Enrollment Diversity Improve University Education?" p. 22 (no table).

<sup>76</sup> Stanley Rothman, April Kelly-Woessner, and Matthew Woessner, *The Still Divided Academy: How Competing Visions of Power, Politics and Diversity Complicate the Mission of Higher Education* (Landham, MD, Rowman & Littlefield, 2011).

<sup>77</sup> Rothman, Kelly-Woessner, and Woessner, p. 132-33, Table 5.12

The Rothman studies clearly show that university administrators (and faculty to a lesser extent) are racial diversity's primary supporters. Students as a group are not great supporters of racial preferences. Administrators' support goes far to explain the spread of racial/ethnic curricula, centers, clubs, dorms, and activities, and the pressure for more. Sympathetic administrations explain how these racial/ethnic organizations and activities spread.

Since the Court has linked racial preferences in admissions to diversity's benefits, are there costs and benefits associated with the nationwide spread of racial/ethnic curricula, centers, clubs, dorms, and activities?

- Diversity Does Not Promote “Cross-Racial Understanding,” Creates Racial/Ethnic Separatism.

Increasing campus diversity fails to promote “cross-racial understanding,” as promised by *Bakke* and *Grutter*. Campus diversity leads to ethnic separatism via ethnic clubs, ethnic housing, ethnic studies courses, ethnic studies centers, and racial/ethnic graduations.

In a recent study of campus racial/ethnic organizations and activities, the National Association of Scholars found these organizations and practices quite common across the nation.<sup>78</sup> “What we found was that ‘neo-segregation’ [voluntary racial separatism] is widespread, if not pervasive.”<sup>79</sup>

According to the NAS database, almost all 173 colleges and universities in the study offered some form of voluntary separatism.

- Voluntary Racial/Ethnic Dorms. 43% had voluntary segregated dorms for one or more groups. 29% had black residence halls; 21% had Hispanic residence halls; and 11% had residence halls for Asian Americans. Many had separate dorms for more than one group, and 31% had unspecified multicultural houses.
- Minority Specific “Fly-Ins.” 68% offered “diversity fly-ins,” i.e., recruitment programs paid for by the university that brought in URMs, hoping they'd matriculate.
- Racial/Ethnic Studies Centers. 86% had multicultural centers. 35% had centers for black students; 20%, for Hispanics; 18% for Asian Americans; and 17% had centers for Native American students. Many had more than one.
- Racial/Ethnic Studies Courses and Majors. 89% had race and ethnic studies curricula. 81% offered black studies programs; 63% had Hispanic studies programs; 28% had Asian American ethnic studies; and 32% had Native American studies.
- Racial/Ethnic Graduation Ceremonies. 72% had separate graduation ceremonies. 44% had graduation ceremonies for black students; 38% had separate ceremonies for Hispanics; and 26% had Asian American ceremonies.

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<sup>78</sup> The authors trace the voluntary separatism to the black activist campus movements in the sixties. Dion J. Pierre and Peter W. Wood, *Neo-Segregation at Yale* (New York: National Association of Scholars, April 2019). <https://www.nas.org/reports/separate-but-equal-again>. Database available at the same website for downloading.

<sup>79</sup> Pierre and Wood, p. 16.

- Racial/Ethnic Club Membership Correlates With Negative Outcomes.

Sidanius, Levin, Van Laar, and Sinclair studied ethnic organizations and correlated behaviors and attitudes.<sup>80</sup> They found that joining racial/ethnic organizations increased ethnic members' campus activism; increased respondents' support for racial preferences; increased a sense of ethnic victimization; and increased a perception of zero-sum racial/ethnic competition (one group's gains is another group's loss).<sup>81</sup>

Racial/ethnic group membership however did *not* correlate with the belief that belonging to a racial/ethnic club increased separatism. In fact, attachment to the larger student community was correlated with increased likelihood of joining a racial/ethnic club.<sup>82</sup> Ethnic organization members also had better grades compared to nonmembers of the same race/ethnicity.

The researchers found these effects for even for those without little sense of an ethnic identity before college. A stronger ethnic identity before college, not surprisingly, increased the likelihood of joining such organizations, which in turn, strengthen the above attitudes.

Researchers also found significant attitude change among white students who joined a fraternity or sorority, independent of how strong their sense of "white identity."<sup>83</sup> Being in a fraternity or sorority was correlated with an increase in respondents' opposition to diversity; an increase in their opposition to inter-racial dating; an increase in respondents' view that ethnic organizations promote separatism; an increase in the perception of zero-sum ethnic group conflict; and an increase in feelings of white victimization.

Unlike membership in a racial/ethnic club, belonging to Greek organizations showed no correlation between membership and better grades. But joining a fraternity or sorority increased students' attachment to a larger school identity. And a stronger white identity before starting college increased the likelihood of joining a fraternity or sorority, which, in turn, strengthened the attitudes listed above.

Comparing the attitude changes for both racial/ethnic club and fraternity/sorority membership, the common factor was a sense of racial/ethnic relations as a zero-sum game and an increased sense of group victimization. This effect occurred independent of a strong racial identity before joining—the mere act of joining these groups increases an individual's sense of race relations being a win-lose conflict. Sidanius and colleagues raise the issue of whether greater campus diversity itself increases students' sense of victimization and racial/ethnic tensions, through the formation and joining of ethnic clubs and Greek organizations. This is far from the educational benefits expected in *Grutter*.




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<sup>80</sup> Jim Sidanius, Shana Levin, Colette Van Laar, and Stacey Sinclair, "Ethnic Enclaves and the Dynamics of Social Identity on the College Campus: The Good, The Bad, and the Ugly," *Journal of Personality and Social Psychology*, 87 #1 (2004): 96-110.

<sup>81</sup> Sidanius et al., "Ethnic Enclaves," p. 104, Table 6.

<sup>82</sup> Sidanius et al., "Ethnic Enclaves," p. 100; p.101.

<sup>83</sup> Sidanius et al., "Ethnic Enclaves," p. 105, Table 7.

All these studies show the many psychological and social costs of campus diversity.

- Students are generally less happy.
- Racial preferences' beneficiaries end up feeling more victimized and alienated.
- Campus diversity increases social self-segregation.
- Diversity admissions creates resentment and stigma.
- Stereotypes and feelings of injustice are reinforced, for both whites and blacks.

These are not the expected benefits flowing from diversity.

And even pro-diversity researchers are acknowledging that numerical diversity alone does not yield benefits. Many prominent researcher-advocates who previously advocated for diversity now argue for inclusion. Diversity, they argue, is merely the pre-condition.

## Part IV Moving the Goal Posts: From Diversity to Inclusion

Prominent pro-diversity researchers now acknowledge that demographic, numerical diversity does not produce the positive benefits enumerated in *Grutter*. Fully aware of the lack of educational benefits, diversity advocates have changed the terms of the debate, from advocating using race to increase “diversity” to advocating greater “inclusion.” And the diversity advocates make clear—the responsibility for making URMs feel more included rests with the university and with white students.

- Chang and Associates on Inclusion

In 2011, Mitchell Chang, one of the foremost diversity researchers, conceded, “[I]ncreased proportions of underrepresented racial minorities *fail to yield the educational benefits* [emphasis added].”<sup>84</sup>

The positive educational benefits, Chang argued in 2011, can only come about through significant intervention by high-level university administrators to foster inclusion. Colleges need to impose additional necessary conditions to reap the benefits of diversity. Without these other factors, diversity yields no benefits.

“[T]here are many key internal and external forces that potentially can facilitate or undermine the impact of diverse educational settings on students’ learning and experiences.”<sup>85</sup>

As proof that universities have to actively promote inclusion, Chang, Denson, Sáenz, and Misa in 2005 find that colleges that promoted greater cross-racial interactions had students reporting multiple psychological and social benefits. The benefits included students reporting greater efficacy, an increase in their cognitive skills, and an increase in their capacity to

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<sup>84</sup> Mitchell. J. Chang, *Quality Matters: Achieving Benefits Associated with Racial Diversity* (Columbus, OH: Kirwin Institute for the Study of Race and Ethnicity, The Ohio State University, 2011), p. 13.

<sup>85</sup> Chang, *Quality Matters*, p. 10.

understand and interact with those of other races.<sup>86</sup> Amazingly, these diversity benefits were found *even among students with few cross-racial interactions*. On campuses with lots of cross-racial interactions, more racially isolated students also had these self-reported benefits, even though they themselves did not have cross-racial interactions.

In 2009, Denson and Chang reported similar psychological and social benefits reported by students on campuses with more diversity.<sup>87</sup> Again, the psychological and social benefits are self-reported, and these benefits are found even for students with little or no cross-racial interaction.

I suspect the students are repeating what they hear on campus and telling the researchers what they want to hear.

Jayakumar in 2008 also found that numerical diversity did not have direct effects on outcomes. Having more blacks and Hispanics did not result in educational benefits. Jayakumar argues that the “quality” of the college environment was what counted, and colleges had to actively enable cross-racial interaction. An inclusive college environment was a necessary condition for reaping the benefits of numerical diversity.<sup>88</sup>

Princeton sociologist Marta Tienda in 2013 also argued that diversity was not the same as inclusion. Colleges also needed to actively develop organizations, activities, curricula, and practices promoting cross-racial interaction so as to reap the benefits of diversity.<sup>89</sup>

- Hurtado and Colleagues on Inclusion

Sylvia Hurtado, another prominent diversity researcher-advocate, also came to the conclusion that numerical campus diversity did not yield positive results. It was insufficient for URMs’ college persistence and completion. It is merely a pre-condition. Universities must focus on campus inclusion, because URMs have a problem with college persistence and graduation. In their report to the Ford Foundation,<sup>90</sup> Hurtado and Guillermo-Wann found that overall conditions at the moderately and highly diverse schools were similar to those at low diversity schools.

“Despite the inclusion of more compositionally diverse campuses in the study, overall climate trends are similar to those typically found in predominantly white institutions,

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<sup>86</sup> Mitchell J. Chang, Nida Denson, Victor Sáenz, and Kimberly Misa, *The Educational Benefits of Sustaining Cross-Racial Interaction Among Undergraduates* (Berkeley: Center for Studies in Higher Education, February, 2005).

<sup>87</sup> Nida Denson and Mitchell J. Chang, “Racial Diversity Matters: The Impact of Diversity-Related Student Engagement and Institutional Context,” *American Educational Research Journal*, 46, #2 (2009): 322-53.

<sup>88</sup> Uma M. Jayakumar, “Can Higher Education Meet the Needs of an Increasingly Diverse and Global Society?” *Harvard Education Review*, 78, #4 (2008): 615-51.

<sup>89</sup> Marta Tienda, “Diversity ≠ Inclusion: Promoting Integration in Higher Education,” *Education Research*, 42, #9 (2013): 467–75.

<sup>90</sup> Sylvia Hurtado and, Chelsea Guillermo-Wann, *Diverse Learning Environments: Assessing and Creating Conditions for Student Success* (Los Angeles: Higher Education Research Institute, UCLA, 2013), <https://www.heri.ucla.edu/ford/DiverseLearningEnvironments.pdf>.

indicating that societal contexts of power and privilege [i.e., being white] continue to permeate campus life.”<sup>91</sup>

They looked at progress of URM students towards their chosen major, URM students’ graduation rates, university education practices, different types of “learning environments,” and student leadership roles. Especially at large urban universities, URM and first-generation students often transferred, thus interrupting college persistence and degree completion. They transferred because of cost (not just tuition), convenience, economic/academic prospects, and “perceived mismatch with the institution.”<sup>92</sup>

Hurtado and colleagues examined the psychological factors associated with degree completion.<sup>93</sup> They argue that institutions need to attend to URM students’ lower sense of validation compared to whites.<sup>94</sup> URM students’ academic validation was associated with significant interaction with faculty, a more inclusive curriculum, and greater university commitment to diversity. Faculty and staff of the same racial/ethnic background play a critical role in URM academic validation and sense of belonging. In turn, greater validation and a greater sense of belonging were associated with URM degree completion.

Hurtado and colleagues also found that URM students reported fewer problems of discrimination at more diverse schools. But despite campus diversity, “negative climates still persist, especially for African American students and for students underrepresented in their major departments.”<sup>95</sup>

In their survey of URM students and negative racial incidents (submitted as part of an amicus brief in *Fisher v. Texas*), Hurtado and Ruiz find that proportionately URM students, especially black students, encountered more negative racial instances (harassment, bias, and discrimination) at low diversity campuses compared to campuses with more diversity.<sup>96</sup> Roughly 13% of URM students in the survey reported racial incidents to a campus authority. 22.7% of blacks at “low diversity institutions” (i.e., URM students making up 20% or less of the student body) reported such instances, which was a significantly higher reporting rate than the 14.5% at the moderately diverse schools (where 21-35% of student body were URM students) and the 12.5% at the highly diverse campuses (URM students making up 35%+ of students).

URM students also felt more excluded at the low diversity campuses. 55.4% of blacks at low diversity schools felt excluded, compared to 39.7% at moderate and 20.3% at highly diverse schools.

It must be noted that the Hurtado-Ruiz research brief summarized data only on the 4,037 URM students. These URM students were part of the larger Diverse Learning Environments (DLE) survey that Hurtado and Guillermo-Wann summarized in their report to the Ford Foundation a funder of the

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<sup>91</sup> Hurtado and Guillermo-Wann, p. 26.

<sup>92</sup> Hurtado and Guillermo-Wann, p. vi. The authors do not delve deeply into the issue of mismatch and do not separate social from academic mismatch, although their measures would allow them to do so.

<sup>93</sup> Hurtado and Guillermo-Wann, p. 35, 36-37.

<sup>94</sup> Hurtado and Guillermo-Wann, p. 35-36.

<sup>95</sup> Hurtado and Guillermo-Wann, p. 32.

<sup>96</sup> Sylvia Hurtado & Adriana Ruiz, “The Climate for Underrepresented Groups and Diversity on Campus,” *HERI Research Brief*, 2 n.6 (June 2012), <https://www.heri.ucla.edu/briefs/URMBriefReport.pdf>.

survey. The DLE survey had a total of 27,819 respondents, from 18 private and 13 public institutions. When using whole survey, the researchers uncovered disproportionate costs to Asian Americans.

- Costs to Asian Americans.

Unexpectedly, when Hurtado and colleagues analyzed the *whole* DLE survey, they found that Asian American and multi-racial students reported more discrimination compared to blacks, Hispanics, and whites.

And Asian Americans reported more negative cross-racial interactions than any other group.<sup>97</sup> 51% of Asian Americans experienced “negative cross-racial interactions” compared to about a third of blacks, Hispanics, and multi-racial students, and roughly a quarter of whites.<sup>98</sup>

Chang also notes the rise of significant hostility towards Asian Americans.<sup>99</sup> Many of the cases were reports of white students targeting Asian Americans.

In a study of first-year roommates in UCLA dorms, Van Laar and colleagues found that those who had (randomly assigned) roommates of other racial/ethnic groups had more positive attitudes toward other racial/ethnic groups and more inter-racial friendships. The exception was having an Asian American roommate.<sup>100</sup> Student, regardless of race, rooming with Asian Americans was correlated with more negative feelings towards other groups, less general intergroup contact, and fewer cross-racial friendships. These negative changes were found among both blacks and whites who had Asian American roommates and were found to persist throughout college.

This wasn’t predicted to happen, since more campus diversity was supposed to improve cross-racial relationships and break down racial stereotypes.

In other words, more numerically diverse campuses do not automatically create all those positive outcomes as predicted by O’Connor, especially for Asian Americans.

The U.S. Education Department also weighed in, on the side of inclusion as the way to increase URM college attendance, college persistence, and college completion.

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<sup>97</sup> Hurtado and Guillermo-Wann, p. 26.

<sup>98</sup> Hurtado and Guillermo-Wann, p. 26-27. Furthermore, there was little difference between low, moderate, and high diversity schools, according to Hurtado and Guillermo-Wann. The authors see this as how Hurtado and Wann, *Diverse Learning Environments*, p. 26.

<sup>99</sup> Chang, p. 7.

<sup>100</sup> Colette Van Laar, Shana Levine, Stacy Sinclair, and Jim Sidanius, “The Effect of University Roommate Contact on Ethnic Attitudes and Behavior,” *Journal of Experimental Social Psychology*, 41 (2005): 329-345, especially p. 338, 339. Having an Asian American roommate was associated with more negative attitudes towards blacks and Hispanics, especially. See also Sidanius et al., *The Diversity Challenge*, p. 226-227.

- The U.S. Department of Education on Inclusion

In 2016, the U.S. Department of Education summarized what it saw as the best approaches to further diversity and inclusion in higher education.<sup>101</sup> Inclusion reduces the gaps between URM and whites/Asian Americans in college attendance, college persistence, and college graduation.<sup>102</sup> The report summarized universities' best inclusion practices and provided examples and case studies. The report conceded that numerical diversity is not enough.<sup>103</sup>

The report clearly states that the *whole* university, not just a diversity committee, should be committed to URM inclusion and recommends that a top administrator (such as a chief diversity officer) be in charge of implementation.<sup>104</sup> It repeatedly emphasizes the need for diverse faculty, more diversity curricula, and more URM student-URM faculty interaction, in order to increase URM students' feelings of inclusion.

“Campus leadership, including a diverse faculty, plays an important role in achieving an inclusive institution. Faculty’s curricular decisions and pedagogy, including their individual interactions with students, can foster inclusive climates.”<sup>105</sup>

By implementing these personnel and programs, URM would “see themselves reflected in the faculty and curriculum to which they are exposed to create a sense of belonging and inclusiveness.”<sup>106</sup> Faculty of the same race/ethnicity play a central role. URM faculty “increase students’ sense of academic validation.”<sup>107</sup> Faculty in turn design the courses, so faculty have the power to enhance the classroom experience of students and make URM feel more included.

It should be noted that none of this—the need for chief diversity officers, the need for URM faculty, how URM faculty and curricula create URM students’ academic validation—was discussed in *Bakke*, *Grutter*, or *Fisher*. Using race in college admissions to achieve numerical diversity is clearly not enough to reap the benefits of diversity.

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<sup>101</sup> U.S. Dept. of Education, *Advancing Diversity and Inclusion in Higher Education: Key Data Highlights Focusing on Race and Ethnicity and Promising Practices* (November 2016), especially p. 35-44, <https://www2.ed.gov/rschstat/research/pubs/advancing-diversity-inclusion.pdf>

<sup>102</sup> The report presents the six-year graduation rate for the four groups. For first-time full-time students seeking a bachelor’s degree, the six-year graduation rate in 2013-14 was as follows: 17% of blacks and 17% of Hispanics graduated in six years, compared to 36% of whites and 46% of Asian Americans. Overall, as shown in the graph, 43% of blacks either failed to re-enroll or left without a degree, as did 42% of Hispanics, 33% of whites, and 22% of Asian Americans. U.S. Dept. of Education, *Advancing Diversity and Inclusion*, p. 27-28. See figure on p. 28.

<sup>103</sup> U.S. Dept. of Education, *Advancing Diversity and Inclusion*, p. 36-38. The report also discussed how universities need to engage in recruitment and outreach and create a multiple-prong approach to help URM as they face the barriers in going to college. Best practices include identifying colleges that would best fit the student, helping students complete the government’s student aid form, providing test prep programs, tutoring, and helping potential URM applicants take college-level work while in high school. U.S. Dept. of Education, *Advancing Diversity and Inclusion*, p. 37-39.

<sup>104</sup> U.S. Dept. of Education, *Advancing Diversity and Inclusion*, p. 36, 37.

<sup>105</sup> U.S. Dept. of Education, *Advancing Diversity and Inclusion*, p. 37.

<sup>106</sup> U.S. Dept. of Education, *Advancing Diversity and Inclusion*, p. 37.

<sup>107</sup> U.S. Dept. of Education, *Advancing Diversity and Inclusion*, p. 37.

The report also states that schools need to create “cultural competency” to increase URM’s feelings of campus inclusion. Schools need regular student, employee, and faculty diversity training, diversity workshops and implicit bias training. Schools should require students to take diversity courses in their first year.<sup>108</sup> Finally, universities need to create and encourage URMs to join and be active in campus organizations that create “[s]afe spaces that reflect students’ cultural backgrounds.” These safe spaces would reduce feelings of URM alienation “and can provide a sense of meaning and validation.”<sup>109</sup>



The inclusion studies focus on how universities have to foster racial/ethnic group consciousness and then make these racially conscious students interact. But, as discussed earlier, diversity programs, separate ethnic organizations, ethnic dorms, ethnic studies, mandatory diversity classes, and student bias monitoring are more likely to produce or significantly increase a sense of ethnic victimization, a zero-sum view of ethnic relations, and social justice activism. There is also the white backlash via the Greek organizations and programs and an increase in beliefs among whites that discrimination against whites was a problem.

And the problems of mismatch between URMs and whites/Asian Americans remain.

## **Conclusion: The Enduring Damage of Racial Preferences?**

After all these years, we now have a better sense of the costs of diversity. In order to get a desired number of URMs, universities admit certain applicants with lower academic credentials—fewer AP courses in high school, lower high school GPAs, and less positive teacher/counselor recommendations, not just lower test scores. This creates a mismatch between URM matriculants and their white/Asian American counterparts.

The size of the disparities in entering academic credentials is kept secret from potential students. Admittees don’t know where they stand, so they make decisions on where they enroll based on incomplete information.

The Supreme Court has stated that using race would result in a diverse student body and educational benefits. URM mismatches create the opposite condition. Research shows that compared to whites and Asian Americans:

- Mismatched URMs experienced more grade shock; actual grades were significantly lower than the grades they expected.
- Mismatched STEM majors were more likely to change to an easier field.
- Mismatched URMs more frequently transferred.
- Mismatched URMs who did not transfer took longer to graduate.
- Mismatched URMs were more alienated from academics and college generally.
- Mismatched URMs were more dissatisfied and more likely to discount faculty/classroom feedback.

<sup>108</sup> U.S. Dept. of Education, *Advancing Diversity and Inclusion*, p. 41-42.

<sup>109</sup> U.S. Dept. of Education, *Advancing Diversity and Inclusion*, p. 43.

- Mismatched URMs often attributed negative feedback to bias.
- Greater campus diversity was related to greater overall undergraduate unhappiness, not just for URMs.

Justice O'Connor stated that diversity creates greater cross-racial interaction and understanding, but the opposite is often the case.

- There has been more social segmentation and division among students.
- URMs who were more alienated and dissatisfied sought out ethnic clubs, ethnic dorms, and ethnic centers.
- The clubs strengthened URMs' sense of a racial zero-sum conflict and minority victimization.
- Backlash was also found among whites who felt discriminated because of their race. Many joined Greek organizations for support.
- The fraternities and sororities increased whites' sense of race relations as a zero-sum conflict and white victimization.
- The large number of Asian Americans on campus has led to significantly more Asian Americans reporting discrimination and having negative cross-racial interactions compared to other groups.

In the last decade or so, diversity researchers and advocates concede that diversity itself does not lead to educational benefits, which undercuts the justification for using race in admissions in the first place. But as long as universities give extra preference to URMs, as long as there is a mismatch in qualifications, and as long as pre-college practices leave URMs uncompetitive, using race as a factor becomes permanent, despite O'Connor's wish that it would end in 25 years. The pursuit of numerical diversity covers up the problem of why so many URMs still remain academically unprepared when they apply to college. Using race as a factor in essence allows universities to remain apart from and uninvolved in community problems.

Finally, the costs and benefits that flow from a diverse student body are *empirical* propositions. As empirical propositions, they can and should be examined regularly. And as the studies show, the positive outcomes of campus diversity are seldom obvious while the costs are many.



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