



GOVERNANCE, TRANSPARENCY & LABOR RELATIONS POLICY COMMITTEE
Thursday, June 4, 2020
1:30 p.m. – 4:30 p.m.

To join the meeting, please register here:

<https://zoom.us/meeting/register/tJwlde6qqT8sH92UrtUI-8TUnczImIGnSat7>

Once you register, you will immediately receive a link to join the meeting.

AGENDA

- I. Welcome and Introductions**
Chair, Jess Talamantes, Council Member, Burbank
Vice Chair, George Harris, Finance Director, Lancaster
- II. Public Comment**
- III. Response to Public Comment**
- IV. General Briefing (Handout)** *Informational Item*
- V. COVID-19 Update and Roundtable Discussion** *Informational Item*
- VI. Legislative Update (Handout)** *Informational Item*
- VII. CalPERS Update** *Informational Item*
- VIII. Legislative Agenda** *Action Item*
 - ACA 5 (Weber) Government Preferences. (*Attachment A*)
 - ACA 5 and K-12 Education. (*Attachment B*)
 - ACA 5 and Higher Education. (*Attachment C*)
- IX. Adjournment**

Next Meeting (tent.): Annual Conference, Long Beach, October 7

Staff will notify committee members after August 17 if the policy committee will be meeting in October.

NOTE: Policy committee members should be aware that lunch is served at these meetings. The state's Fair Political Practices Commission takes the position that the value of the lunch should be reported on city officials' statement of economic interests form. Because of the service you provide at these meetings, the League takes the position that the value of the lunch should be reported as income (in return for your service to the committee) as opposed to a gift (note that this is not income for state or federal income tax purposes—just Political Reform Act reporting purposes). If you would prefer not to have to report the value of the lunches as income, we will let you know the amount so you may reimburse the League.

Brown Act Reminder: The League of California Cities' Board of Directors has a policy of complying with the spirit of open meeting laws. Generally, off-agenda items may be taken up only if:

1. Two-thirds of the policy committee members find a need for immediate action exists and the need to take action came to the attention of the policy committee after the agenda was prepared (**Note:** If fewer than two-thirds of policy committee members are present, taking up an off-agenda item requires a unanimous vote); or
2. A majority of the policy committee finds an emergency (for example: work stoppage or disaster) exists.

A majority of a city council may not, consistent with the Brown Act, discuss specific substantive issues among themselves at League meetings. Any such discussion is subject to the Brown Act and must occur in a meeting that complies with its requirements.

Informational Items: Any agenda item listed for information purposes may be acted upon by the Policy Committee if the Chair determines such action is warranted and conforms with current League policy. If the committee wishes to revise League policy or adopt new policy for an item listed as informational, committees are encouraged to delay action until the next meeting to allow for preparation of a full analysis of the item.

GOVERNANCE, TRANSPARENCY AND LABOR RELATIONS POLICY COMMITTEE
Legislative Agenda
June 4, 2020

Staff: Bijan Mehryar, Legislative Representative (916) 658-8210
Johnnie Pina, Legislative Policy Analyst (916) 658-8214

1. ACA 5 (Weber) Government Preferences. ([FULL BILL TEXT HERE](#))

Bill Summary:

This measure would propose to the people of the State of California an amendment to the Constitution of the State by repealing Section 31 of Article I of the constitution relating to government preferences.

Bill Description:

ACA 5 is a proposed constitutional amendment which, if approved by the Legislature, would place on the 2020 November ballot the question of whether to repeal Section 31 of Article I of the California Constitution which was added by Proposition 209 of 1996. This particular section of the California Constitution prohibits the state, cities, counties, community college districts, public university systems, and special districts from discriminating or giving preferential treatment to any individual or group on the basis of race, sex, color, ethnicity, or national origin with regard to public employment, public contracting or public education.

Existing Law:

Prior to the passage of Proposition 209 the primary limitation on state and local governments' use of affirmative action in public contracting was the Fourteenth Amendment of the U.S. Constitution. The equal protection clause contained therein as interpreted in *City of Richmond v J.A. Croson Company* (1989) requires the application of "strict scrutiny", the most demanding standard under equal protection jurisprudence, when evaluating programs that discriminate or provide preferential treatment on the basis of race or gender. Effectively, prior to the passage of Proposition 209 the only restriction on the state or city's use of these types of programs were (1) the demonstration of a compelling government interest in pursuing the program and (2) narrowly tailoring the program to specifically remedy to prior discrimination that is found to have occurred.

Background:

Proposition 209 was passed where there were concerns about the distribution of resources and how government programs may have been privileging certain individuals or groups.

Proponents of the measure contended that the measure was necessary to counter the "reverse discrimination" based on race that had become from their perspective rampant in the public sector. It was their goal to institute public employment, education, and contracting practices that were "fair, color-blind, race-blind, [and] gender-blind..."

The measure's opponents argued that the broad language of the initiative would eliminate a wide variety of programs that had been created to remedy the challenges faced by women and minorities particularly in the educational space. The measure was opposed by a coalition of pro-affirmative action and feminist groups. Summarizing their opinion, former Secretary of State, General (Ret.) Colin Powell commented in 1996 that, "Efforts such as the California Civil Rights Initiative which poses as an equal opportunities initiative, but which puts at risk every outreach program, sets back the gains made by women and puts the brakes on expanding opportunities for people in need."

The issue of what types of programs and what type of people they served and benefited was keenly at the heart of the public debate over Proposition 209. After the initiative passed and its constitutionality was validated by the courts several tests of the new constitutional section's provisions were entertained by the courts, those decisions all reinforced the strong plain text prohibitions of Proposition 209. For example, the City of San Jose had a robust Minority and Women Owned Business Enterprise (MWBE) program that attempted to remedy prior discrimination in large city contracts by requiring prime contractors to demonstrate either utilization of MWBE subcontractors at specified percentages, or good faith efforts to do so. This program, both its participation and outreach components were found to violate the new law in *Hi-Voltage Wire Works v. City of San Jose*.

Fiscal Impact:

If the measure were to pass the Legislature and be passed by the voters, the fiscal impact to cities would be the staff time and contracting costs associated with the types of studies necessary to substantiate the legal requirements of the *Croson* case.

Existing League Policy:

The League currently does not have explicit existing policy relating to this topic. The only policy relating to this topic is stated in the League's mission statement.

The League believes:

- Local self-governance is the cornerstone of democracy.
- Our strength lies in the unity of our diverse communities of interest.
- In the involvement of all stakeholders in establishing goals and in solving problems.

Staff Comments/Policy Considerations:

This measure presents voters the potential, since Proposition 209's passage in 1996, to revisit the question about the limitations placed on programs designed to remedy previous inequities and discrimination in public employment, public education, and public contracting. In discussions with the author's office, it was indicated that this measure is a priority for both the author and the Legislative Black Caucus. This measure is fundamentally a local control issue in so far as its passage and approval by the voters would allow cities the flexibility to craft programs that could meet the employment and contracting needs of their communities.

Understanding that issues relating to the administration of public employment, public education, and public contracting are important, and recognizing our responsibility to honor the diverse opinions of our membership, we would appreciate a conversation driven by what the committee sees as the pros or cons of engaging on this measure. Staff notes that support of this legislation does not necessarily entail supporting the ballot measure nor does this measure's passage and approval by the voters require cities to institute these types of programs, as it merely lifts the prohibition of programs of these types from the California Constitution. For context, if this measure is placed on the ballot, the board would need a two-thirds vote to take a position on the ballot measure.

Support-Opposition (as of May 5, 2020):Support

Chinese for Affirmative Action
Mayor Libby Schaaf, City of Oakland
AAPI Women Lead
Abriendo Puertas/Opening Doors
ACLU California
Advancement Project

AFSCME, Local 3299
 Alliance for Boys and Men of Color
 Alliance for Children's Rights
 American Association for Access, Equity and Diversity
 American Civil Liberties Union, Northern and Southern California, and San Diego and Imperial Counties
 American Federation of State, County and Municipal Employees, Local 3299
 Anderson Baker Architects
 Anti-defamation League
 Asian Americans Advancing Justice, California
 Asian Americans Advancing Justice, Los Angeles
 Asian Law Alliance
 Association of California State Employees with Disabilities
 Aypal: Building API Community Power
 Black Students of California United
 Brother, Sons, Selves Coalition
 Building Blocks for Kids
 California Black Chamber of Commerce
 California Change Lawyers
 California Council on American-Islamic Relations
 California Democratic African American Party
 California Faculty Association
 California Lulac
 California Pan-Ethnic Health Network
 California Reinvestment Coalition
 California Religious Action Center of Reform Judaism
 California State University Northridge - Department of Asian American Studies
 California-Hawaii State Conference of the NAACP
 Californians for Justice
 Californians Together
 Canal Alliance
 Career Ladders Project
 ACA 5
 Page 15
 Center for Leadership, Equity, and Research
 Child Care Law Center
 Children Now
 Children's Defense Fund-California
 Chinese American Progressive Action
 City of Oakland - City Attorney's Office
 Communities United for Restorative Youth Justice
 Community Coalition
 Community Legal Services in East Palo Alto
 Congregations Organized for Prophetic Engagement
 Consumers for Auto Reliability and Safety
 Cope of San Bernardino
 Del Sol Group, Inc.
 Disability Rights Education and Defense Fund
 Diversity in Leadership Institute
 East Bay Community Law Center
 Education Board Partners

Empowering Pacific Islander Communities
 Energy Convertors
 Equal Justice Society
 Faith in Action East Bay
 Families in Schools
 Fathers and Families of San Joaquin
 Feminist Majority Foundation
 Food for People
 Fortune School of Education
 Friends Committee on Legislation of California
 Future Leaders of America
 Gente Organizada
 GO Public Schools
 Greater Sacramento Urban League
 Hispanic Association of Colleges and Universities
 Hmong Cultural Center of Butte County
 Hmong Innovating Politics
 Inland Congregations United for Change
 InnerCity Struggle
 Innovate Public Schools
 International Action Network for Gender Equity & Law
 Justice in Aging
 Khmer Girls in Action
 Kid City Hope Place
 LA Comadre
 Lao American National Alliance
 Latino and Latina Roundtable of the San Gabriel and Pomona Valley
 ACA 5
 Page 16
 Lawyers' Committee for Civil Rights Under Law
 Long Beach Coalition for Good Jobs and a Healthy Community
 LS Consulting
 Maternal and Child Health Access
 National Action Network - Sacramento Chapter
 National Association of Women Business Owners – California
 National Center for Transgender Equality
 National Center for Youth Law
 National Women's Law Center
 New Life Christian Church
 Nextgen California
 OCA Sacramento - Asian Pacific American Advocates
 Officers for Justice Peace Officers Association
 Parent Organizing Network
 Policy Link
 Poverty & Race Research Action Council
 Public Advocates Inc.
 Public Counsel
 Reappropriate
 Reinvent Stockton Foundation
 Resilience Orange County
 Rex and Margaret Fortune School of Education

Rubicon Programs
San Francisco African American Chamber of Commerce
Social Justice Collaborative
Somos Mayfair
Southeast Asia Resource Action Center
Southern California College Access Network
Speak UP
Teach for America
Teach for America Los Angeles
Teach Plus
The Cambodian Family Community Center
The Desertsong Group
The Education Trust – West
The Fresno Center
The Hawk Institute
The Leadership Conference on Civil and Human Rights
The Praxis Project
The Village Nation
True Plus
UC Berkley School of Law
United Cambodian Community
ACA 5
Page 17
United Negro College Fund
University of California Student Association
Urban League - Greater Sacramento
USC Race and Equity Center
Western Center on Law and Poverty
Workplace Fairness
Youth and Education Law Project, Mills Legal Clinic of Stanford Law School
10,000 Degrees
28 California Black and African American Academics and Scholars
6 California Latin-x Academics and Scholars
71 Asian American and Pacific Islander Individuals

Opposition

Staff is unaware of any opposition to the measure at this time.

Staff Recommendation:

Staff is presenting this measure for consideration and discussion without a recommendation.



Dispelling the Myths: Providing Opportunity for All Through ACA 5 K-12 Education Issues May 2020

Proposition 209 and affirmative action are hot-button issues in California. After decades of intense debate about affirmative action or race-conscious policies, it can be challenging to separate fact from fiction. As you consider your vote on ACA 5, we hope the clarity below about commonly-held myths will be helpful. We also hope that California legislators and the Governor will allow voters to decide whether we want to overturn the outdated ban on affirmative action.

Myth #1: California's Local Control Funding Formula (LCFF) addresses funding the needs of students of color.

The Facts: LCFF provides much needed additional funding (i.e., through supplemental and concentration grants) to serve English learners, foster youth, and low-income students. However, California's inability to implement race-conscious funding leaves Local Education Agencies (LEAs) without the resources needed to support students facing some of the most severe opportunity and achievement gaps. For example, African American students are reported as the lowest-performing racial/ethnic subgroup on standardized assessments in California.ⁱ Yet, approximately 90,000 African American students do not generate additional funds to meet their unique needs.ⁱⁱ

Myth #2: Schools can use their LCFF supplemental and concentration grant funds to support students based on race-conscious needs.

The Facts: The LCFF formula does not allow LEAs to spend additional dollars on specific racial student groups. The legislature did not designate students of color to generate or receive these funds due to Prop 209's limitations. However, there is a significant need to include racial groups in the LCFF formula because some students have unique and increased needs based on race alone. One clear example of these racial disparities is K-12 student performance on Smarter Balanced (SBAC) assessments. As indicated in *Figure 1*, 57 percent of low-income Asian students met math standards, surpassing non low-income Black (33 percent), Native American (39 percent), and Latinx (41 percent) students. We see similar trends in English language arts results. (*Figure 2*.) Repealing Proposition 209 would give the legislature the ability to make the LCFF formula race-conscious, allowing LEAs to target additional dollars towards needs specific to students of color.

Myth #3: The racial or ethnic background of teachers doesn't matter for student learning or success.

The Facts: California's public-school children and their teachers look very different. Approximately 77 percent of the students in public schools are students of color, while 65 percent of teachers are White.ⁱⁱⁱ Students of all races report forming more reliable connections and learning better when they have teachers of color.^{iv} Importantly, students of color with same-race teachers earn higher GPAs, spend more time on homework, and have higher expectations for themselves attending college.^v Low-income Black students in elementary school experience some of the most significant benefit. For example, after having a single Black teacher in grades K-3rd, these students are more likely to graduate from high school and enroll in college.^{vi}

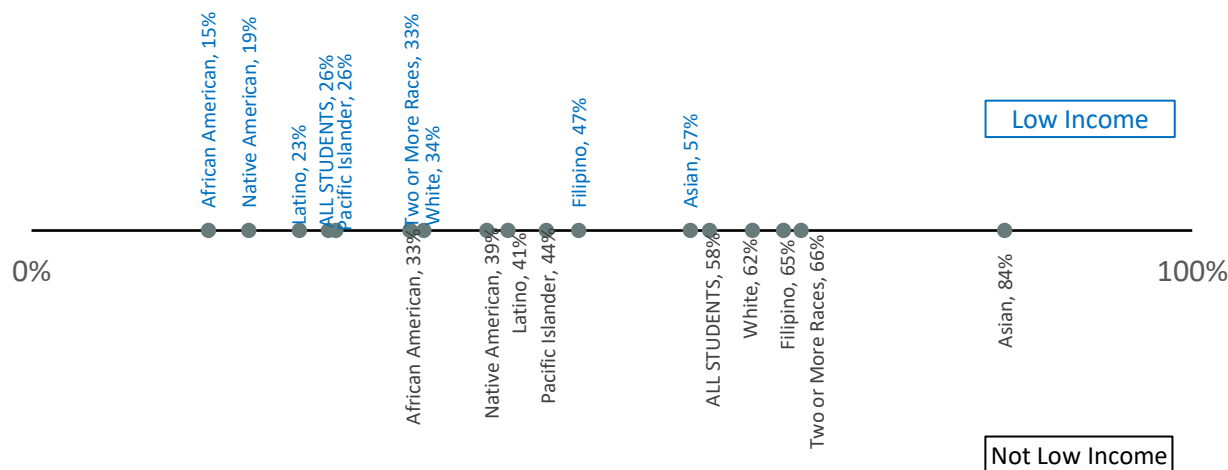
Myth #4: Reinstating affirmative action in employment practices will hurt experienced White teachers.

The Facts: California's teacher tenure and seniority policies guide educator layoff practices. Reinstating affirmative action will provide an opportunity to diversify the educator pipeline moving forward, but will in no way affect the seniority protections of already-employed teachers.^{vii} Repealing Prop 209 would lift limits on using race-conscious strategies to recruit and retain Black, Latino, Asian/Pacific Islander, and Native American teachers. This includes state-

funded scholarships to recruit people of color to enroll in credentialing programs and targeted funding for programs to retain teachers of color, such as race-based affinity groups and mentoring.^{viii}

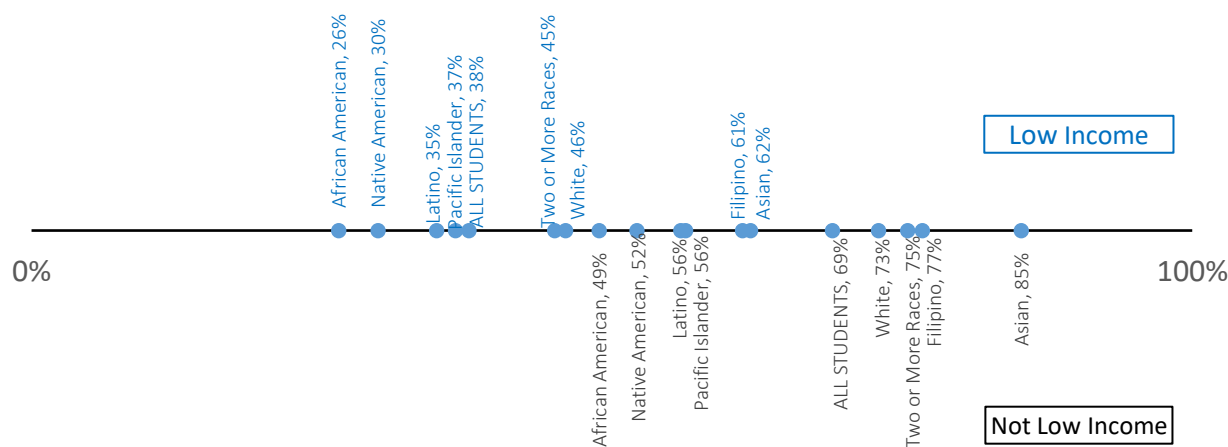
*These answers have been truncated for readability. To access full answers and additional information contact Manny Rodriguez (mrodriguez@edtrustwest.org) or Yvonne Muñoz (ymunoz@edtrustwest.org)

Figure 1. Percentage of Students Meetings or Exceeding Standards on SBAC Math: By Income and Ethnicity (2017-18)



Source: California Department of Education. (2018). Data retrieved from <https://caaspp-elpac.cde.ca.gov/caaspp/>

Figure 2. Percentage of Students Meetings or Exceeding Standards on SBAC ELA: By Income and Ethnicity (2017-18)



Source: California Department of Education. (2018). Data retrieved from <https://caaspp-elpac.cde.ca.gov/caaspp/>

ⁱ California Assessment of Student Performance and Progress. 2018-19 English Language Arts/Literacy and Mathematics Smarter Balanced Summative Assessments. Retrieved at: <https://caaspp-elpac.cde.ca.gov/caaspp/DashViewReport?ps=true&lstTestYear=2019&lstTestType=B&lstGroup=1&lstSubGroup=1&lstGrade=13&lstSchoolType=A&lstCounty=00&lstDistrict=00000&lstSchool=0000000>

ⁱⁱ California Charter Schools Association. (2020). *AB 2635 Education Equity Now*. Retrieved from <https://info.ccsa.org/education-equity-now>.

ⁱⁱⁱ The Education Trust-West. (2019). *Seen, Heard, Reflected: Look At California's Teacher of Color Shortage*. Retrieved from: <https://s3-us-east-2.amazonaws.com/edtrustmain/wp-content/uploads/sites/3/2017/11/04215628/ETW-Seen-Heard-Reflected-TOC-Infographic-Nov-19.pdf>.

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- ^{iv} Cherng, H. Y. S., & Halpin, P. F. (2016). The importance of minority teachers: Student perceptions of minority versus White teachers. *Educational Researcher*, 45(7), 407-420. Retrieved from <https://journals.sagepub.com/doi/full/10.3102/0013189X16671718>.
- ^v Mittleman, J. (2016). *What's in a Match? Disentangling the Significance of Teacher Race/Ethnicity*. Retrieved from https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2796150.
- ^{vi} Gershenson, S., Hart, C., Hyman, J., Lindsay, C., & Papageorge, N. W. (2018). *The long-run impacts of same-race teachers*. National Bureau of Economic Research. Retrieved from <https://www.econstor.eu/bitstream/10419/161253/1/dp10630.pdf>.
- ^{vii} Legislative Analyst's Office. (2012). *A Review of the Teacher Layoff Process in California*. Retrieved from <https://lao.ca.gov/reports/2012/edu/teacher-layoffs/teacher-layoffs-032212.aspx>.
- ^{viii} Prado, V., Ojeda, E.J., Rabin, E., Rembert, K., Washington, D., Winchester, C. (2019). *Equity and Diversity by Design: Recommendations on Recruiting and Retaining Teachers of Color in Illinois*. Retrieved from Teach Plus: https://teachplus.org/sites/default/files/publication/pdf/teach_plus_diversity_and_equity_by_design_final.pdf.

**Dispelling the Myths: Providing Opportunity for All Through ACA 5
Higher Education Issues
May 2020**

Proposition 209 and affirmative action are hot-button issues in California. After decades of intense debate about affirmative action or race-conscious policies, it can be challenging to separate fact from fiction. As you consider your vote on ACA 5, we hope the clarity below about commonly-held myths will be helpful. We also hope that California legislators and the Governor will allow voters to decide whether we want to overturn the outdated ban on affirmative action.

MYTH #1: Affirmative Action will establish unfair quotas based on race in college admissions, limiting opportunities for some students.

The Facts: Quotas are no longer legal. The Supreme Court found quotas unconstitutional in 1978 in the case, *Regents of the University of California v. Bakke*.¹ Repealing Prop 209 won't affect the prohibition on quotas in college admissions. However, reinstating affirmative action will permit universities to implement race-conscious strategies such as targeted recruitment and enhanced outreach to communities of color.

MYTH #2: Strategies to improve campus diversity should only focus on socioeconomic status rather than race.

Facts: The state has made significant investments in race-neutral policies that have failed to level the playing field and facilitate equitable opportunities to all Californians. Despite over 20 years of income-focused programming and diversity initiatives, such as creation of the Early Academic Outreach Program (EAOP), the Math, Engineering and Science Achievement (MESA) program, and the Puente Project, the UC system still has work to do to improve diversity and representation. Proposition 209 would enable education institutions to move away from race-blind strategies that have not worked and move toward race-conscious strategies that could bolster educational equity.

MYTH #3: Enrollment rates of underrepresented students of color at the UCs have improved since Prop 209 passed, so repealing this law is unnecessary.

The Facts: While enrollment rates have increased, Latinx and Black students are woefully underrepresented. Underrepresentation of graduating high school students of color at UC is evident as early as the year Prop 209 went into effect. The high school senior class of 1998-99 was 33 percent Latinx and 8 percent Black, yet Latinx and Black students comprised 12 percent and 3 percent of the UC first-year students for that year. Most recently, among the high school class of 2019, 53 percent of students were Latinx, and 6 percent were Black. In the UC freshman class of the same year, only 25 percent were Latinx, and 4 percent were Black. (*Figure 1.*) If institutions could be race-conscious in their recruitment efforts, they could move closer to reflecting the ethnic make-up of the state by being more intentional about outreach and targeted support.

MYTH #4: Admissions and graduation rates for underrepresented students of color have improved, so Prop 209 isn't necessary.

The Facts: Despite improvements in admission and graduation rates, equity gaps negatively affecting Black and Latinx students remain. While admissions rates for underrepresented groups have slightly improved in the last two years, the differences between overall admissions rates and those for Black and Latinx students have grown significantly since Prop 209. In 1994, before Prop 209, the admissions rate for Black applicants was only 6 percentage points under the overall admissions rate, whereas Latinx applicants were admitted at a higher than average rate. (See *Figure 2.*) In contrast, in 2019, the UCs admitted Black and Latinx students at a rate 16 percentage points and 6 percentage points lower than the overall rate, respectively. Latinx and Black students continue to face unacceptably low admissions rates, despite the

gains in the number of college-ready students – (i.e., a-g course completion, high school graduation) –from these groups.ⁱⁱ

We see similar issues with increases in graduation rates. While graduation rates have steadily improved over time, a gap remains between the overall UC graduation rate and the rates for Latinx and Black students. *Figure 3* shows 6 and 8 percentage point gaps between the overall graduation rate and that of Latinx and Black students, respectively. If California repeals Prop 209, the UC can better address the unique needs of Latinx and Black students to ensure they graduate at the same rates as their peers.

MYTH #5: Affirmative Action discriminates against Asian American students.

The Facts: If ACA 5 passes, it merely allows universities to take race and gender into account as one of several factors in recruitment and admissions. Notably, following the passage of Prop 209 ban on affirmative action, Asian American admission rates went down, particularly at the most competitive campuses, and have not returned to previous levels. (*Figure 4*). For example, before Prop 209 in 1996, the Asian American admissions rate at UC Berkeley was 32 percent. After Prop 209 in 1998, it was 30 percent. Currently, it is 21 percent.

Myth #6: Admissions should be based solely on merit, i.e., GPA and test scores.

The Facts: GPA and test scores don’t accurately reflect an applicant’s ability. These measures are commonly considered an objective reflection of innate “smarts” or ability. Unfortunately, a student’s GPA and test scores are also influenced by policies and practices that limit a student’s academic competitiveness, disproportionately impacting Black and Latinx students. For example, in 2019, a California-based study found otherwise competitive Black and Latinx students are less likely to be placed in advanced science courses. This is often due to inadequate counseling, misaligned grading policies, and scheduling conflicts rather than due to academic preparedness.ⁱⁱⁱ Similarly, Black and Latinx high school students are underrepresented in rigorous STEM and college preparatory courses (i.e., a-g) required for UC admissions. Latinx and Black students often lack access to these courses because they tend to attend schools with fewer course offerings.^{iv}

Myth #7: Only students of color receive an advantage from affirmative action in college admissions.

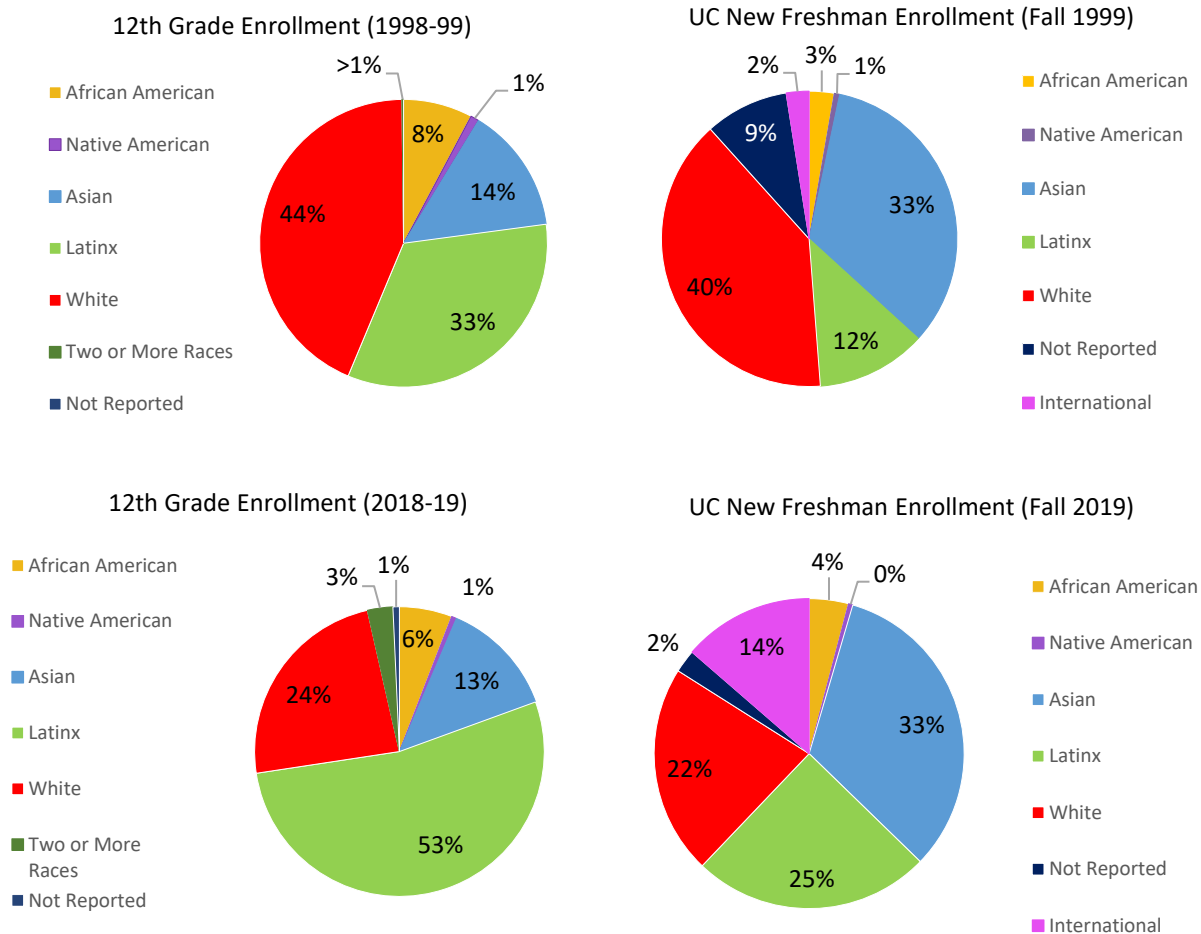
The Facts: In California, privileged students benefit from affirmative action. Legacy admissions—giving preference to relatives of alumni—is a common form of affirmative action. For example, the University of Southern California admitted nearly 20 percent of its first-year students as legacy admits just last year.^v This form of affirmative action, which is legal in California, reinforces systemic inequities because it provides a leg up for applicants who already benefit from systemic advantages, like wealth and parental education. Repealing Prop 209 would allow California’s institutions to address inequities, not reinforce them as legacy admissions do.

MYTH #8: State leaders should focus on COVID-19 recovery, not ACA 5.

The Facts: Repealing Prop 209 will help to mitigate the disproportionate harm experienced by communities of color during the pandemic. People of color have borne the brunt of both the economic and public health effects of COVID-19. California is going to need every tool in its toolbox to restore the economy in ways that support all Californians. Employment trends consistently show college degrees protect against unemployment, when compared to holding a high school diploma.^{vi} As California’s unemployment rates continue to skyrocket, growing an educated workforce will be essential to future recovery and resiliency. Further diversifying who can access and succeed in higher education, will position California to remain the 5th largest economy in the world.

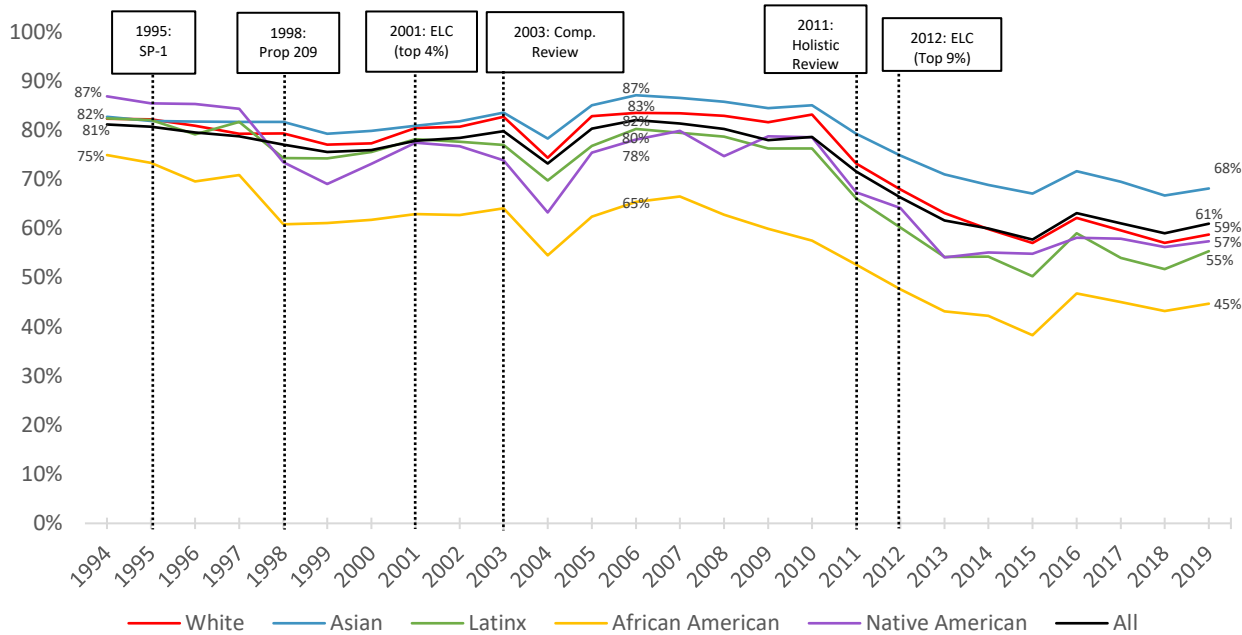
*These answers have been truncated for readability. To access full answers and additional information, please contact Manny Rodriguez (mrodriguez@edtrustwest.org) or Yvonne Muñoz (ymunoz@edtrustwest.org).

Figure 1. Recent 12th Grade Enrollment and UC New Freshman Enrollment (1999 and 2019)



Source: California Department of Education. (2020). Retrieved from <https://data1.cde.ca.gov/dataquest/>; University of California. (2020). Data retrieved from <https://www.universityofcalifornia.edu/infocenter/fall-enrollment-glance>

Figure 2. University of California Admission Rates by Ethnicity (1994-2019)



Source: University of California. 2020. Data retrieved from <https://www.universityofcalifornia.edu/infocenter/admissions-residency-and-ethnicity>

*The 1994 admissions rate for both Latinx and White students was 82%.

Note: Timeline above specifies the following changes in UC admissions policies:^{vii}

(1995) SP-1: UC Regents pass a Special Resolution prohibiting the university from practicing affirmative action

(1998) Proposition 209: Proposition 209, prohibiting affirmative in public education and employment, goes into effect.

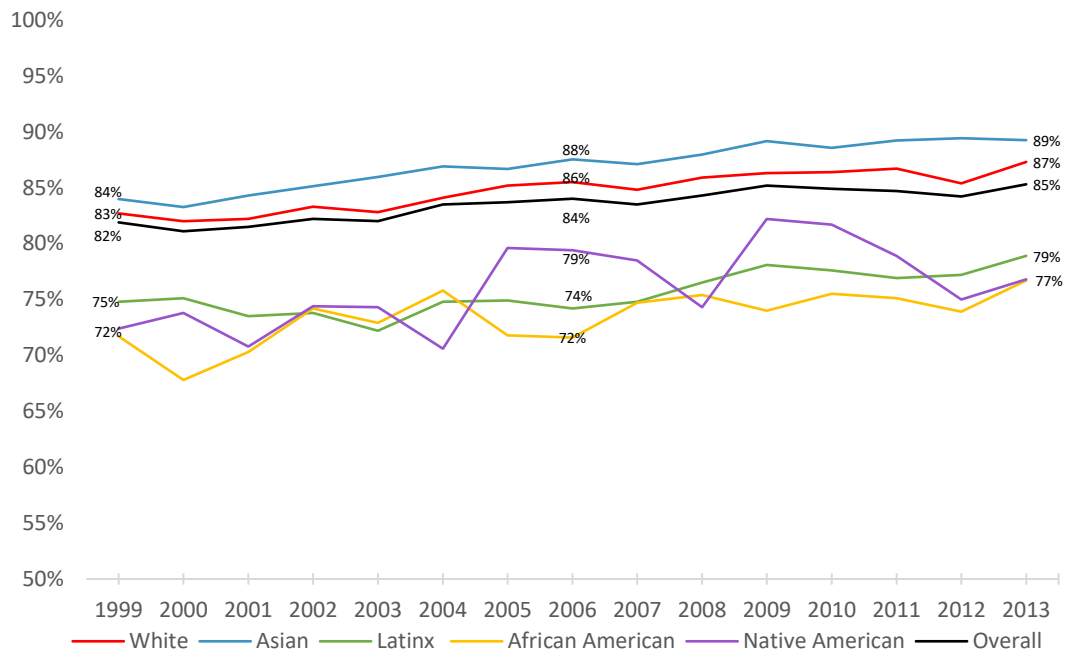
(2001) Eligibility in Local Context Top 4%: UC grants admission to the top 4% of all high school students.

(2003): Comprehensive Review: UC incorporates a comprehensive review of a student's record-including additional information about individual applicants and their circumstances in addition to the regular application review.

(2011): Holistic Review: Building on Comprehensive Review, UC computes the entirety of a student's record and assigns it into a single number.

(2012): Eligibility in Local Context Top 9%: UC grants admission to the top 9% of all high school students.

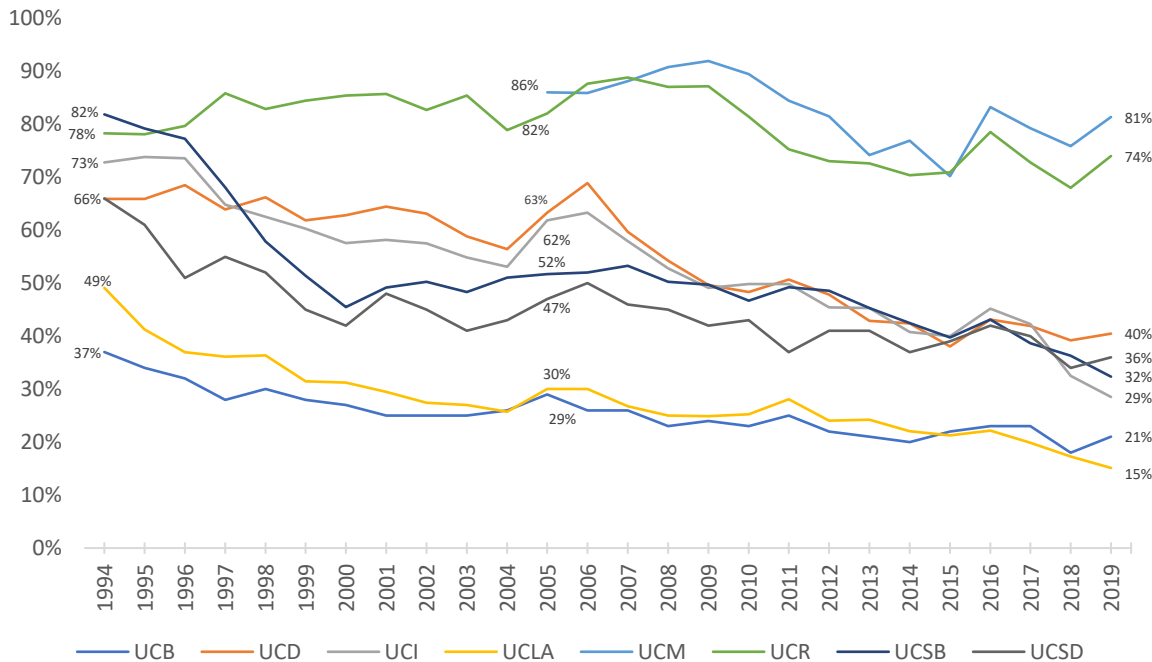
Figure 3. University of California 6-Year Graduation Rates by Ethnicity (1999-2019)



Source: University of California. 2020. Data retrieved from <https://www.universityofcalifornia.edu/infocenter/ug-outcomes>

*In 1999 and 2013 Black and Native American students had the same graduation rates.

Figure 4. Asian and Pacific Islander Admission Rates by UC Campus (1994-2019)



Source: University of California. 2020. Data retrieved from <https://www.universityofcalifornia.edu/infocenter/admissions-residency-and-ethnicity>

ⁱ Oyez. *Regents of the University of California v. Bakke*. Retrieved from [https://www.oyez.org/cases/1979/76-811?_escaped_fragment_=&_escaped_fragment_=&_escaped_fragment_="](https://www.oyez.org/cases/1979/76-811?_escaped_fragment_=&_escaped_fragment_=&_escaped_fragment_=)

ⁱⁱ The Campaign for College Opportunity. (2019). *State of Higher Education for Black Californians*. Retrieved from: <https://collegecampaign.org/wp-content/uploads/2019/10/2019-State-of-Black-Californians-Full-Report-Final.pdf> and see The Campaign for College Opportunity. (2018). *State of Higher Education for Latinx Californians*. Retrieved from: <https://collegecampaign.org/wp-content/uploads/2019/10/State-of-Higher-Education-Latinx-Report-2018.pdf>

ⁱⁱⁱ Gao, N., Johnson, H., LaFortune, J., Dalton, A. (2019). *New Eligibility Rules for the University of California? The Effects of New Science Requirements*. Retrieved from Public Policy Institute of California: <https://www.ppic.org/wp-content/uploads/new-eligibility-rules-for-university-of-california-the-effects-of-new-science-requirements.pdf>.

^{iv} The Education Trust–West. (2015). *Black Minds Matter: Supporting the Educational Success of Black Children in California*. Retrieved from <https://west.edtrust.org/resource/black-minds-matter-supporting-the-educational-success-of-black-children-in-california/>.

^v Bouziane, R. (2017). *The Trojan Family: Legacy Students Applying to USC*. Retrieved from University of Southern California: <https://admissionblog.usc.edu/the-trojan-family-legacy-students-applying-to-usc/>

^{vi} National Center for Education Statistics. *Fast Facts Employment rates of college graduates*. Retrieved from <https://nces.ed.gov/fastfacts/display.asp?id=561>.

^{vii} Kidder, W. C., & Gándara, P. (2016). *Two decades after the affirmative action ban: Evaluating the University of California's race-neutral efforts*. Retrieved from the Civil Rights Project: https://civilrightsproject.ucla.edu/research/college-access/affirmative-action/two-decades-after-the-affirmative-action-ban-evaluating-the-university-of-california-2019s-race-neutral-efforts/Kidder_PIC_paper.pdf