

## THE IMPACT OF PROPOSITION 209 IN CALIFORNIA

The passage of Proposition 209 in 1996 has led to changes in opportunities and outcomes across many aspects of life in California. From college and university admissions to government contracts, the prohibition of preferential treatment based on race among other characteristics has impacted the way California conducts business. Below are some key takeaways from research on the impact of Proposition 209 in California.

This analysis was conducted as a broad literature review in order to create a “solid starting point for all members of the community” who are interested in this topic (Paré & Kidsiou, 2017).<sup>1</sup> The analysis is not exhaustive. The focus is on prior research that has been central to the discussion on affirmative action generally, and Proposition 209 in California specifically. Articles that were mentioned and cited frequently in the literature were selected for inclusion.

### UNDERGRADUATE APPLICATIONS, ADMISSIONS, ENROLLMENT

- The end of race-conscious admissions at the University of California led to:
  - admissions declines for applicants from underrepresented groups (URGs; African American, Hispanic/Latinx, American Indian) at every UC campus<sup>i</sup>
  - enrollment declines for admits from URGs and enrollment increases for white students<sup>ii</sup>
  - a shift in enrollment of students from URGs, from more selective campuses to less selective campuses<sup>iii</sup>
- In the absence of race-conscious admissions policies, UC implemented alternative strategies to mitigate the loss of students from URGs. These include the following:<sup>iv</sup>
  - Eligibility in the Local Context (ELC) draws qualified students from the top 9% of each participating California high school.
  - Holistic review: applicants are evaluated on a comprehensive set of metrics.
- Alternative strategies have mitigated some of the decline in enrollment of students from URGs but are not as effective as race-conscious admission policies.<sup>v</sup>
- There is little evidence that affirmative action leads to systemic academic mismatch (see Mismatch Hypothesis section below).<sup>vi</sup>

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<sup>1</sup> Paré G, Kidsiou S. Chapter 9 Methods for Literature Reviews. In: Lau F, Kuziemy C, editors. Handbook of eHealth Evaluation: An Evidence-based Approach [Internet]. Victoria (BC): University of Victoria; 2017 Feb 27. Available from: <https://www.ncbi.nlm.nih.gov/books/NBK481583/>

## **CAMPUS CLIMATE**

- At UC campuses, in the absence of race-conscious admissions policies, racial climates are more hostile for students from URGs than on other campuses with race-conscious policies.<sup>vii</sup>
  - This includes the potential for racial isolation, marginalization and/or tokenism.
- Eliminating race-conscious admissions policies inhibits an institution's efforts to create a positive racial experience for all students.<sup>viii</sup>

## **MAJOR CHOICE**

- In states where race-conscious admissions are prohibited, fewer students from URGs earn STEM degrees in general.<sup>ix</sup>

## **MEDICAL SCHOOLS AND GRADUATE PROGRAMS**

- Bans on race-conscious admissions policies led to:
  - Decline in students from URGs in graduate programs, regardless of discipline<sup>x</sup>
  - Decline in first-time enrollment of students from URGs in medical schools and law schools<sup>xi</sup>

## **MISMATCH HYPOTHESIS**

- Mismatch hypothesis: race-conscious admissions policies grant admission to unprepared students from URGs into competitive schools, where they are stigmatized as academically challenged and intellectually weak because they lack the required skills and abilities.<sup>xii</sup>
- The empirical evidence that race-conscious admissions policies lead to the mismatch hypothesis is mixed, with a majority of studies arguing against this conclusion.
  - Multiple research articles have refuted claims made by authors using the mismatch hypothesis as evidence.<sup>xiii</sup>

## **CONTRACTING AND WORKFORCE**

- With the elimination of race-conscious hiring and contracting programs:
  - Civil service employment and government contracting among women and individuals from URGs dropped sharply.<sup>xiv</sup>
  - There was a steep decline in women and individuals from URGs winning bids for highway construction and other government contracts.<sup>xv</sup>

- There has been a loss of at least \$1 billion annually for women and individuals from URGs.<sup>xvi</sup>
- Ending race-conscious admissions policies at UC reduced the likelihood of students from underrepresented backgrounds earning at least \$100,000 in each year between ages 30 and 37.<sup>xvii</sup>

### ASIAN/PACIFIC ISLANDERS

- Race-conscious admissions policies do *not* disproportionately harm Asian American students.<sup>xviii</sup>
  - Students from some Asian ethnicities benefit from these race-conscious policies.
- Affirmative action opponents have strategically used Asian Americans as a wedge group to divide interracial coalitions that support race-conscious policies.<sup>xix</sup>
- The majority of Asian Americans across different ethnic groups *support* race-conscious admissions policies.<sup>xx</sup>

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<sup>i</sup> Bleemer, Z. (2020). Affirmative action, mismatch, and economic mobility after California's Proposition 209. Research & Occasional Paper Series, Center for the Study of Higher Education, UC Berkeley Retrieved from <https://cshe.berkeley.edu/publications/affirmative-action-mismatch-and-economic-mobility-after-california%E2%80%99s-proposition-209>; Garces, L. M. (2012). Racial diversity, legitimacy, and the citizenry: The impact of affirmative action bans on graduate school enrollment. *The Review of Higher Education*, 36(1), 93-132. [10.1353/rhe.2012.0050](https://doi.org/10.1353/rhe.2012.0050); Hinrichs, P. (2012) The effects of affirmative action bans on college enrollment, educational attainment, and the demographic composition of universities, *The Review of Economics and Statistics*, 94(3), 712-722. Retrieved from [https://www.jstor.org/stable/23261474?seq=1#metadata\\_info\\_tab\\_contents](https://www.jstor.org/stable/23261474?seq=1#metadata_info_tab_contents)

<sup>ii</sup> Hinrichs, P. (2012) The effects of affirmative action bans on college enrollment, educational attainment, and the demographic composition of universities, *The Review of Economics and Statistics*, 94(3), 712-722. Retrieved from [https://www.jstor.org/stable/23261474?seq=1#metadata\\_info\\_tab\\_contents](https://www.jstor.org/stable/23261474?seq=1#metadata_info_tab_contents)

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<sup>v</sup> Bleemer, Z. (2019). The impact of access-oriented UC admissions policies on underrepresented UC applications, enrollment, and long-run student outcomes. University of California Office of the President. Retrieved from <https://www.ucop.edu/institutional-research-academic-planning/files/uc-affirmative-action.pdf>; Bleemer, Z. (2020). Top percent policies and the return to postsecondary selectivity. Available at SSRN 3272618. Retrieved from [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3272618](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3272618); Kidder, W. C. (2013). Misshaping the river: Proposition 209 and lessons for the Fisher case. *Journal of College and University Law*, 39, 53. Retrieved from [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2123653](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2123653); Kidder, W. C., & Gándara, P. (2017). Two decades after the affirmative action ban: Evaluating the University of California's race-neutral efforts. In G. Orfield (Ed), *Alternative paths to diversity: Exploring and implementing effective college admissions policies* (Research Report No. RR-17-40, pp. 25-48). Princeton, NJ: Educational Testing Service. Retrieved from: <https://onlinelibrary.wiley.com/doi/pdf/10.1002/ets2.12121>; Orfield, G. (Ed.). (2017). *Alternative paths to diversity: Exploring and implementing effective college admissions policies* (Research Report No. RR-17-40, pp. 2-13). Princeton, NJ: Educational Testing Service. Retrieved from: <https://onlinelibrary.wiley.com/doi/pdf/10.1002/ets2.12121>; Reardon, S. F., Baker, R., Kasman, M., Klasik, D., & Townsend, J. B. (2015). Can socioeconomic status substitute for race in affirmative action college admissions policies? Evidence from a simulation model. Princeton, NJ: Educational Testing Service (ETS). Retrieved from [http://www.ets.org/Media/Research/pdf/reardon\\_white\\_paper.pdf](http://www.ets.org/Media/Research/pdf/reardon_white_paper.pdf)

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