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## Affirmative Action In Higher Education And The Talented Twenty Program In Florida

Miguel Ubiles  
*University of Central Florida*

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AFFIRMATIVE ACTION IN HIGHER EDUCATION AND THE TALENTED TWENTY  
PROGRAM IN FLORIDA

by

MIGUEL UBILES

B.A. University of Central Florida, 2010

B.S. University of Central Florida, 2010

A thesis submitted in partial fulfillment of the requirements  
for the degree of Master of Arts  
in the Department of Political Science  
in the College of Sciences  
at the University of Central Florida  
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2012

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## **ABSTRACT**

Affirmative action in higher education is a necessary component for ethnic minorities to be afforded postsecondary educational access and opportunities to improve their socioeconomic status. The ban of affirmative action in undergraduate admissions, wherever instituted, has decreased the undergraduate enrollment of ethnic minorities.

The broad objective of this research is to demonstrate how the elimination of affirmative action has lessened postsecondary educational access for minorities, who presently account for the majority or near-majority population in several states and will soon account for a much larger segment of the national population.

This study will use two series of multiple regression models with scale-level variables to note the effect of the removal of affirmative action and the effectiveness of the Talented Twenty Program in maintaining student diversity at the University of Florida and the Florida State University. The major finding of this research is that the minority enrollment at UF and FSU was significantly related to the change in policy from affirmative action to the Talented Twenty Program. This study and the prior literature strongly suggest that the current diversity levels at these public universities are most likely a result of the university recruitment and outreach programs and population change.

This thesis is dedicated to my mother, whose extraordinary resilience inspired me to excel. It is also dedicated to my sister, whose pleasant cheerfulness has brought me many smiles. This research is also dedicated to all of those who advocate for social justice, may this work stimulate a progressive call to action.

## ACKNOWLEDGMENTS

I offer my foremost gratitude to my mother, for whom this research project and all of my academic success was made possible by her unyielding support. Her example of high-character, assertiveness, and meekness was central to my development. Mom, I would like to say to you, in the words of President Barack Obama on the night of his election, “This is your victory!”

I recognize my sister, whose kind-heartedness and care continues to bring me joy. Her appetizing meals and many trips to the university contributed in important ways.

A very special thanks to Dr. Andrea Vieux, whose consistent guidance was essential to the formation of this work. Her professionalism and exuberance is very much appreciated.

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## **CHAPTER 1: INTRODUCTION**

In the United States, there are increasing disparities in the educational attainment and economic well-being for adults across race and ethnicity. A report by the National Center for Higher Education Management Systems (2007) found that all states face disparities across racial and ethnic groups in the percentage of adults with college degrees and only eight states are on track to reach the level of educational attainment needed by 2025 to compete with the best-performing nations and meet workforce demands. Furthermore, all states are projected to experience growth in their non-white populations, particularly among groups that have been historically underserved in higher education including African Americans, Hispanics, and Native Americans—the groups expected to grow the fastest between 2005 and 2025 are the same groups that currently post the lowest levels of educational attainment (National Center for Higher Education Management Systems [NCHEMS], 2007).

As of 2009, the national average for adults with college degrees in the United States was 27.5 percent (Chronicle of Higher Education, 2011). For the same year, the national average for adults with college degrees was 29 percent for Whites, 17.2 percent for African Americans, and 12.6 percent for Hispanics (Chronicle of Higher Education, 2011). Since 1990, the national average for adults with college degrees improved by 7.4 percent for Whites, 5.8 percent for African Americans, and 3.4 percent for Hispanics (Chronicle of Higher Education, 2011). The differences in educational attainment by race have economic significance because higher levels of education are associated with greater employment opportunities (Graham & Paul, 2011).

A Brookings report (2010) found that during the Great Recession, the employment-to-population ratio dropped by more than 2 percentage points from 2007 to 2009 for working-age

adults without a bachelor's degree, but fell by only half a percentage point for college-educated individuals (Berube, 2010). In 2010, the unemployment rate for the year was 8.2 percent overall, 10.3 percent for those with a high school diploma, 9.2 percent for those with some college, 7 percent for those with an Associate's degree, and 5.4 percent for individuals with a Bachelor's degree (Bureau of Labor Statistics, 2011a). In the same year, the jobless rate was 8.7 percent for whites, 16 percent for African Americans, and 12.5 percent for Hispanics (Bureau of Labor Statistics, 2011b). From 2008 through 2018, jobs that require an Associate's, Bachelor's, and Master's degree as the most significant source of education are projected to experience faster growth rates than occupations not requiring such levels of education (Ramey, 2010). The disparities in wealth and level of education are widening and access to higher education is narrowing (Garcia-Falconetti, 2009). Therefore, improving the postsecondary educational access for minorities can be reasoned as a net gain overall.

The topic of affirmative action in higher education is of interest to the field of political science for several reasons: it addresses the question of the role of government in affording educational access, it raises questions about America being a meritocracy, and it touches on the larger issue of socioeconomic inequality in the United States. The use of race as a factor in undergraduate admissions is highly controversial and has been disallowed in five states over the past two decades through various legal means. In upcoming election cycles, states continue to place affirmative action on statewide ballot initiatives so voters can judge the legality of the program for their state. The topic of affirmative action also highlights a key feature of American politics, the federal system. Some states have banned affirmative action in spite of recent Supreme Court rulings permitting its use.

## The Role of Government in Providing Access to Higher Education

In the last two decades, affirmative action has undergone steady curtailment in American higher education. The political institutions that once constructed affirmative action policies are now acting to limit their effect and in some cases, rescind these policies altogether. The legal promulgation of affirmative action varies by state. In states that have statewide bans on affirmative action, public universities use creative programs to target underrepresented populations via minority recruitment and community outreach programs.

### Affirmative Action as a Civil Rights Issue

The discussions on affirmative action have traditionally operated within the civil rights framework. Civil rights are the basic legal rights a person must possess in order to secure the status of equal citizenship in a liberal democratic state (Altman, 2009). Civil rights are the rights that constitute free and equal citizenship and include personal, political, and economic rights (Altman, 2009). In its history, the United States permitted de jure segregation against African Americans, denying them access to public institutions that full and equal citizenship would provide.

The original rationale for affirmative action in employment, and later in higher education, was to offset the socioeconomic limitations that African Americans continued to face even after discriminatory laws were prohibited. In a 1965 commencement address at Howard University, President Lyndon B. Johnson stated,

“You do not wipe away the scars of centuries by saying: Now you are free to go where you want, and do as you desire, and choose the leaders you please. You do not take a person who, for years, has been hobbled by chains and liberate him, bring him up to the starting line of a race and then say, ‘you are free to compete with all the others,’ and still justly believe that you have been completely fair. Thus it is not enough just to open the gates of opportunity. All our citizens must have the ability to walk through those gates” (LBJ Library and Museum, 2007).

In Johnson’s view, and for other supporters alike, government has a responsibility to uphold civil rights by affirmatively promoting those rights for African Americans through active government policies. The idea behind affirmative action is to use government authority to incorporate and enfranchise previously dislocated populations. This line of thinking is grounded in collectivist theories.

The liberal egalitarian theory and the restorative justice theory set the theoretical framework by which affirmative action has been traditionally defended. The liberal egalitarian theory involves positive governmental action in mandating equity in public institutions via affirmative action (Zamani-Gallagher, O’Neil-Green, Brown II, & Stovall, 2009). The restorative justice theory is concerned with restoring relationships by establishing or re-establishing social equality in relationships (Zamani-Gallagher et al., 2009). Although these theories are still viable defenses of affirmative action and the history of racial discrimination is acknowledged, this study discusses affirmative action in a socioeconomic and human investment context.

## Meritocracy and Inequality

Much of the debate centered on affirmative action is that such policies preclude the functions of a meritocratic society. According to Henslin (2007), a meritocracy is “a form of social stratification in which all positions are awarded on the basis of merit” (p. 239). Some believe that the use of race as a factor in undergraduate admissions grants ethnic minorities unfair advantages that allow for their admission into programs for which they are unqualified. In fact, the progression of social reproduction in America has acted to afford exclusive access to social and cultural capital to the wealthiest households, thereby limiting the educational access of the less-privileged and underrepresented minorities.

The topic of affirmative action addresses the larger issue of economic inequality, which is a standard attribute for any advanced capitalist society. However, in recent decades the United States has experienced an inordinate level of unequal economic distribution and opportunities for social mobility have generally lessened. Approximately 10 percent of Whites live in poverty as compared to 27.5 percent of African Americans, and 26.7 percent of Hispanics (Lopez & Cohn, 2011). The median net worth of White families is ten times that of African American families and almost half of all Black children live in poverty (Sterba, 2009). In terms of relative economic mobility, Isaacs (2010) finds that African Americans experience less upward mobility and more downward mobility than Whites. It is generally understood that education is the vehicle for upward mobility in our society and that a college degree is a prerequisite for a middle-class life (Krymkowski & Mintz, 2011). Thus, special emphasis should be given to increasing the postsecondary educational access and attainment for African Americans and

Hispanics if opportunities for upward mobility are to be fairly distributed across population cross-sections.

### The Contribution to Scholarly Research

This study identifies the effectiveness of affirmative action in higher education for fostering campus diversity in American public universities by taking into account the contemporary legal development of higher education affirmative action. Consistent with the extant literature, this study will examine the undergraduate minority enrollment rate at two public flagship universities in effort to note the change in the minority enrollment rate as a consequence of prohibiting the use of race as a factor in undergraduate admissions. This study will expand on similar studies by accounting for the changes in need-based scholarship aid and minority student recruitment and university outreach programs in Florida.

### The Scholarly Interest in the Sunshine State

Florida is selected as the subject of this study because of its rapidly growing diverse population and for its promising economic outlook. State policies that affect diverse subpopulations in Florida will become increasingly significant in the near future. There is a need for Floridians, especially for those of minority status, to attain higher levels of education. According to the State University System of Florida Board of Governors, “Demand for access to Florida public higher education will continue to increase due to the growing number of interested and qualified students, the exponential expansion of knowledge, and the greater sophistication of employer demands and resulting specialization needed in the workplace” (State University

System of Florida Board of Governors, 2011). Ed Moore, President of the Independent Colleges and Universities of Florida, states that, “Florida's higher education graduates have a huge effect on the state's business community and these programs are important to bolster a workforce that attracts new businesses to the state... Business interests looking to succeed in an ever-changing, global marketplace migrate to states that boast a skilled and educated workforce” (Moore, 2011). Put simply, Moore holds that, “We need more educated Floridians” (Moore, 2011). Florida is soon to become a majority-minority state and the educational attainment and employment prospects of ethnic minorities are of substantial interest to political scientists and policymakers.

Similar to previous studies, this thesis will assess whether the percent plan used to replace affirmative action has been effective in maintaining similar levels of minority enrollment when affirmative action was in place. This study will also note the changes in scholarship aid and the minority recruitment and community outreach efforts by the University of Florida and Florida State University in response to the affirmative action ban in 1999. The literature review outlines the goals and critiques of affirmative action in higher education, charts the legal evolution of affirmative action over time, and examines the post-affirmative action programs in a selection of the non-affirmative action states. The methodology chapter explains the data collection issues and describes how using ordinary least squares with continuous variables can be used to analyze the effectiveness of affirmative action in higher education by examining the enrollment rate of minority students over time at UF and FSU. The results chapter explicates the findings, identifies the exogenous variables, and offers suggestions for further research. The concluding chapter proffers some final thoughts on affirmative action and describes the challenges to affirmative action now and in upcoming election cycles.

## **CHAPTER 2: THE AFFIRMATIVE ACTION IMPERATIVE IN AMERICAN HIGHER EDUCATION**

The use of affirmative action in higher education is intended to address the disparities in the educational attainment across subpopulations. The traditional factors used for college admissions are reflective of the relative advantage or disadvantage that college applicants were afforded by their public high school, family or socioeconomic background, or inherited social capital. The reason for using race as a factor in undergraduate admissions is intended to offset some of the disadvantages in standardized test preparation and scoring by recognizing the contribution of diversity to the university. In a knowledge economy where a college education is essential for social mobility, access to higher education becomes a premium.

### A Theoretical Framework: Social Reproduction Theory

Pierre Bourdieu's theory of social reproduction focuses on the relation between education, family, and social class (Tzanakis, 2011). Bourdieu argues that education plays an important role in aiding and abetting the reproduction of social inequality and social exclusion (Tzanakis, 2011). Bourdieu (1973) claims that, "...it would seem that the action of the school...tends to reinforce and to consecrate by its sanctions of the initial inequalities" (p. 266). The theory of social reproduction is relevant to a discussion on affirmative action in higher education because the use of race in admissions is to offset low scores on standardized exams or moderate GPAs. The scores on college entrance exams may be reflective of the quality of the test taker's high school and their access to test preparation courses. Many ethnic minority students attend large, overcrowded and underfunded high schools that do not offer academically

rigorous courses (Holland & Farmer-Hinton, 2009). The GPAs of high school students can be reflective of the extent to which parents emphasize academic achievement or the combination of work or family obligations that high school students may have. If higher education institutions rely on these indicators exclusively for their admissions decisions, they may be systematically excluding talented students who can contribute to the campus diversity.

Bourdieu identifies multiple types of capital, including *economic capital* (money and material objects) and *cultural capital* (informal interpersonal skills, habits, manners, linguistics, educational credentials, and lifestyle preferences) (Berger, 2000). The conceptualization of cultural capital was necessary since economic capital could not completely explain social stratification (Berger). It is difficult for minority high school students to develop the habits necessary for college preparation if their parents do not have a college education. Students who endeavor to become the first in their family to attend college tend to rely on guidance counselors for college preparation assistance and frequently live in communities where neighboring adults have not completed college (Holland & Farmer-Hinton, 2009; Roderick, Nagaoka, & Coca, 2009). A study on urban high schools found that teachers and counselors did not encourage African American high school students to pursue postsecondary education, nor did they present college as an option; some counselors in a predominantly Hispanic high school had low expectations for their students and chose to limit the college preparatory information they shared with students (Holland & Farmer-Hinton, 2009).

There are structural barriers that minority high school students encounter in terms of college preparation and access. Public policy can enable postsecondary educational access with the use of affirmative action in university admissions. According to Bourdieu (1973), "...it

becomes necessary to study the laws that determine the tendency of structures to reproduce themselves...” (p. 258). Broadened access to higher education can result in greater socioeconomic gains, not only for subpopulations, but for the nation as a whole.

The scholarly research indicates that social reproduction leading to societal inequality is now approximating the levels of the 19<sup>th</sup> century. According to Mumper (2003), “...beginning in the 1980s and accelerating in the 1990s, college opportunities for low-income and disadvantaged people have declined...the opportunities for low-income students to participate in public higher education are being sharply constricted (p. 98). This is a largely consequential development because racial gaps in academic success matter in that they affect workforce quality and the competitiveness of the U.S. economy (Espenshade & Walton-Radford, 2009). Domestic forces are combining to produce a “perfect storm” for poorly educated Americans because there are substantial disparities by race and ethnicity in the distribution of job-related skills (Espenshade & Walton-Radford, 2009). There is a continual economic restructuring in which nearly half of all new jobs generated between 2004 and 2014 will require a college degree, and the rising Hispanic share of the population is in critical need of increased educational attainment (Espenshade & Walton-Radford, 2009). Commenting on the population trends in the United States, Espenshade and Walton-Radford (2009) propose that, “America needs a *more* educated, not a less educated, labor force” (p. 401). Is there a public policy that can moderate the effects of income inequality, extend prospects for social mobility to disadvantaged groups, and benefit the American economy as whole over the long term?

## The Need for Affirmative Action

In its original form, affirmative action was designed as a corrective for past injustices against African Americans. Katznelson (2005, in Zamani-Gallagher, O’Neil-Green, Brown II, & Stovall, 2009) contends that there is still a pressing need for affirmative action policies and programming given the historical roots of racial discrimination and the effects of current racial biases. A defense of affirmative action in an economic context can better illustrate the current necessity of this policy.

Mumper (2003) finds that, “If African Americans and Hispanics had the same distribution of college education as Whites... the upsurge in national wealth that would result from the infusion of human capital would be startling: African Americans would add \$113 billion annually in new wealth and Hispanics would add \$118 billion. Assuming an average federal, state, and local tax rate of 35 percent, the new wealth created by this new human capital would result in more than \$80 billion in new public revenues (p. 99). Ethnic minorities, Hispanics in particular, are a rapidly growing segment of the population and will become a numerical majority by the middle of the 21<sup>st</sup> century. Policies that enable the educational attainment and career opportunities of minorities can greatly benefit the entire American economy because these groups currently constitute an untapped labor source that can contribute to future business cycles.

## The Benefits of a College Education

The personal economic gains from a university education are most evident when one attends an elite institution. Attending a more selective college is associated with higher graduation rates and higher earnings for both minority and nonminority students and the returns to attending a selective university have been increasing during the last few decades (Kane, 1998; Hoxby, 1998, Brewer, Eide, & Ehrenberg, 1999, in Long, 2004a). Presently, the major beneficiaries of preferences at elite colleges in the United States are white students from wealthy or relatively wealthy families (Sterba, 2009). Also, students from the wealthiest families are overrepresented at selective institutions by a 2:1 margin relative to peers from the poorest families; this enrollment gap has grown over time (Astin & Oseguera, 2004, in Long, Saenz, & Tienda, 2004). An elite college education benefits anyone who is so privileged to attain a degree from such an institution, but elite schooling provides a substantial boost for minority students. Minorities receive a greater premium for attending a top-tier school than white students and the gains associated with attending a more selective institution are greater for those with lower test scores (Bowen & Bok, 1998; Kane, 1998, in Long, 2004a).

The paramount importance of a college education in the lives of minorities is well illustrated by Zamani-Gallagher, O'Neil-Green, Brown II, and Stovall (2009):

Attending college enables individuals to expand their personal and professional growth. Higher education opportunities are important because college attendance and completion are strongly associated with social and economic mobility...Social mobility and economic disparities are also affected by whether a student is first in his or her family to

attend college. Commonly, these students come from families where high school completion may have been considered the pinnacle of success...African American and Hispanic students have not participated in higher education to the same extent as White students from middle- and upper-income families with greater financial resources. As a result of financial constraints, academic deficiencies and poor standardized test performance, certain groups of individuals have not found traditional baccalaureate degree education readily available, and subsequently have not enjoyed the same level of social and cultural capital in academe as their middle class White counterparts (p. 53).

Minority students may not be able to overcome the numerous social and economic limitations they encounter without some governmental assistance. Affirmative action policies in undergraduate and graduate admissions facilitate the advancement of minorities and are critical at a time in which the minority population growth outpaces their educational attainment.

#### The Benefits of Attending a Selective Institution

Attending a more selective institution has a significant positive effect on college graduation probability for both minority and nonminority students (Cortes, 2008, in Furstenberg, 2010). For Ayres and Brooks (2005), “Overmatched students in more selective academic settings may be mentored and inspired by their better-credentialed peers or teachers, or obtain the advantages of greater institutional commitment of resources to academics in more competitive schools” (p. 1825). Minority students thrive at selective institutions, whatever their background (Alon & Tienda, 2005, in Fischer & Massey, 2007). If elite schools admitted students solely on the basis of numerical indicators (GPA, SAT or ACT scores), then upward

mobility for minorities cannot be expected to occur because minority students, however intelligent, are likely to have low GPAs and standardized test scores because they are likely to come from low- or moderate-income households. These students simply cannot devote the amount of time necessary to develop their college applications in the manner that privileged students can.

According to Espenshade and Walton-Radford (2009), “For many underrepresented minority students, then, affirmative action entails an inherent trade-off—a degree from a more prestigious institution, which is clearly advantageous for later-life outcomes, achieved at the price of a lower class rank at graduation, which may have its own associated disadvantages...Our judgment...is that, in most instances, the positive effects of school selectivity override the negative consequences of lower class rank” (p. 259). Elite institutions can provide greater resources for student success, which can largely benefit minority students. The key concern for minority families is that they are likely to devote a greater fraction of their financial resources so their student can attain an undergraduate education at a premier institution, but may be later unable to afford a graduate education. Nonetheless, an undergraduate education from a top tier institution is likely to afford these students high prospects for employment.

### A Conceptualization of Affirmative Action

Affirmative action is plainly understood as a policy intended to grant preference to underrepresented persons in the areas of employment and education. Sterba (2009) defines affirmative action as, “a policy of favoring qualified women, minority, or economically

disadvantaged candidates over qualified men, non-minority, or economically advantaged candidates respectively with the immediate goals of outreach, remedying discrimination, or achieving diversity, and the ultimate goals of attaining a colorblind, a gender-free, and equal opportunity society” (p. 32). Sterba (2009) defines three types of affirmative action (outreach, remedial, diversity). For Sterba (2009), *outreach affirmative action* is taking steps to ensure that qualified minority, women, and disadvantaged candidates are made aware of existing jobs and positions. According to Sterba (2009), *remedial affirmative action* involves remedying for past discrimination in effort to reach a colorblind or racially just society. Sterba’s *diversity affirmative action* term is most pertinent to higher education and worthy of discussion.

The Court defended affirmative action on the grounds of diversity in the *Grutter* decision. The current debates over affirmative action are centered on diversity as a compelling interest. Although a defense of affirmative action can effectively be argued within the framework of restorative justice or social justice, the diversity frame has come to dominate the affirmative action discourse. Sterba (2009) believes that diversity affirmative action is justified in terms of the educational benefits it provides or its ability to create a more effective workforce in such areas as policing and community relations, or achieving equal opportunity and also when the following requirements are met:

- Race is used as a factor to select from the pool of applicants a sufficient number of qualified applicants to secure the educational benefits that flow from a racially and ethnically diverse student body.

- Preference is given to economically disadvantaged applicants by cutting legacy and other preferences for the rich and relatively rich at elite colleges and universities.
- Only candidates are selected whose qualifications are such that when their selection is combined with a suitably designed educational enhancement program, they will normally turn out, within a reasonably short time, to be as qualified as, or even more qualified than, their peers (p. 103).

Special notice should be given to the final requirement that the preferred candidates will be selected only if they can be projected to perform equally as well or better than the non-preferred candidates. The significance of this requirement, as offered by Sterba, is that it rejects the notion that affirmative action works to arbitrarily promote undeserving persons in the areas of employment or education. A careful understanding and analysis of affirmative action would show that affirmative action was never intended to promote unqualified candidates into positions for which they are unfit, let alone guarantee certain outcomes or results.

## The Affirmative and Negative Arguments On Affirmative Action

A review of the pro- and anti-affirmative action arguments can allow for the introduction of novel ideas in the polarizing debate since proponents and opponents alike often restate exhausted positions and viewpoints. The American public can better assess the merits of affirmative action in higher education today by framing the debate in an educational attainment and economic context. The differing viewpoints on affirmative action are described.

### Anti-Affirmative Action Arguments

According to Zamani-Gallagher, O’Neil-Green, Brown II, and Stovall (2009), the major position of the anti-affirmative-action camp is that “...affirmative action is not required given the antidiscrimination laws presently on record...this camp acknowledges that racial discrimination exists but fails to provide any real solutions that could adequately address the legacy of racial discrimination in education or society at large” (p. 124). Fischer and Massey (2007) identify the central opposition to affirmative action, “Critics of affirmative action have made three principal arguments: (1) affirmative action constitutes reverse discrimination that lowers the odds of admission for ‘better’ qualified white students; (2) affirmative action creates a mismatch between the skills of the student and the abilities required for success at selective universities, thereby setting up beneficiaries for failure; (3) affirmative action stigmatizes all members of the target group as unqualified, which results in demoralization and substandard performance regardless of individual qualifications” (p. 532).

The mismatch hypothesis is that under-qualified students are placed into situations in which they cannot succeed or are ill-prepared to succeed—any and all failure is resultant of the

affirmative action policy that placed them at such an institution. According to Espenshade and Walton-Radford (2009), “Critics of race-based affirmative action allege that it boosts underrepresented minority students into more competitive environments than are warranted based on the students’ prior academic accomplishments” (p. 226-7). Sowell (2004) holds that, “...minority students would find themselves in serious academic difficulties all up and down the scale of law schools and other institutions, because they would be systematically mismatched with institutions at all levels...many minority students with all the prerequisites for success would be artificially turned into failures because of this pervasive mismatching” (p. 146). Researchers (Fischer & Massey, 2007; Espenshade & Walton-Radford 2009) find no support for the academic mismatch hypothesis. As has been noted, the benefits of attending a selective institution exceed the costs for minority students.

The stigma argument is basic and not very important overall. According to Sowell (2004), “Instead of gaining the respect that other groups have gained by lifting themselves out of poverty, Blacks are widely seen, by friends and critics alike, as owing their advancement to government beneficence” (p. 188). This view stands in contrast to the qualified research conducted by Zamani-Gallagher, O’Neil-Green, Brown II, and Stovall (2009) who find that, “The small amount of research suggesting that affirmative action is stigmatizing in nature lacks the empirical stringency necessary for generalization beyond the respective studies...this research has not effectively illustrated the extent to which potential beneficiaries feel stigmatized as a result of affirmative action” (p. 24). The takeaway conclusion is that affirmative action aids minority students in the admissions process *only*, and does *not* mandate that professors exempt minority students from academic rigor or lessen any scholarly expectations. Like non-

beneficiaries of affirmative action, beneficiaries of affirmative action are held fully accountable for their matriculation and their academic success or failure is their exclusive responsibility.

### Pro-Affirmative Action Arguments

The rationale for affirmative action in its original form was to serve as a corrective for the de jure segregation and discrimination of the Jim Crow era. Some contemporary proponents of affirmative action employ the restorative justice argument as their justification for advocating these policies. Zamani-Gallagher, O'Neil-Green, Brown II, and Stovall (2009) describe this position:

The pro-affirmative-action camp aligns itself with issues of social justice and remediation policies. Its core position is that affirmative action is essential for addressing past and present-day discrimination across social arenas including education, employment, housing, and voting. Supporters of remediation argue that the historical legacy of racial discrimination in higher education warrants the need for race-conscious admissions policies in order to counterbalance the advantages that White applicants accrue. Given this imbalance, affirmative action serves to remedy racial/ethnic disparities in college admissions, largely at highly selective postsecondary institutions that have historically limited access to underrepresented minority students... The courts, however, have dismissed the social justice argument, rendering it invalid in today's competitive marketplace where access to the top echelon of society is reserved for few Whites, and even fewer people of color (p. 124).

A white majority that may have no phylogenic ties to the 20<sup>th</sup> century segregationists of the Jim Crow South would understandably have great difficulty in accepting responsibility for the actions of George Wallace for example. While much of the current plight of African Americans can justifiably still be traced to the remnant effects of Jim Crow, arguments involving a restoration of justice cannot be expected to convince or garner support from a predominant white majority that occupies nearly all of the highest levels of government. Without careful articulation, such conversations can devolve and become divisive. A more effective discussion on affirmative action addresses the increasing need for an educated population.

The increasing pluralism of the U.S. population is well recognized by scholars and the American public. For this reason, the diversity argument in favor of affirmative action seems more appropriate. According to Zamani-Gallagher, O'Neil-Green, Brown II, and Stovall (2009), "This new camp does not promote the remediation argument or advance the anti-affirmative-action position but argues that racial/ethnic diversity is critical for maintaining educational excellence and democratic values" (p. 124). A key assumption made here is that diversity is an overall net gain, but is there evidence to support this claim? The next section will address this question.

### The Educational Benefits of Diversity

In discussing the educational benefits of diversity, Sowell (2004) maintains that, "...there is no systematic evidence that same-gender or same-race/ethnicity role models have significant influence on a range of dependent variables that they are assumed to influence, including occupational choice, learning, and career success" (p. 144). It is critical to note that there would

not be “systematic evidence” of such a finding because studies addressing the question of the educational benefits of diversity must focus on a small-N of institutions. Durlauf (2008) posits that the diversity argument would not hold in mathematics and science courses or in large-scale lecture halls because ethnically-based perspectives are moot in discussions involving concrete scientific facts. The natural sciences are certainly universal in that respect and concededly, the diversity argument is not workable in this sense. However, the educational benefits of diversity are not restricted to the academic discipline, major, or topic of discussion, rather, the “robust exchange of ideas”, as articulated by Justice Powell, occurs in many areas of the university campus where students are bound to interact with one another.

The scholarly literature broadly supports the notion that diversity yields educational benefits. As Espenshade and Walton-Radford (2009) indicate, “Our findings lend support therefore to claims that there are educational benefits to diversity” (p. 313). The benefits of a diverse student population include: overall college satisfaction, intellectual self-confidence, social self-confidence, student retention, commitment to multiculturalism, a greater emphasis by faculty on racial and gender issues in their research and in the classroom, and higher student enrollment in ethnic studies courses (Chang & Astin, 1997, in Riccucci, 2007). In addition, students who have more cross-racial interaction exhibit greater cognitive development, more positive academic and social self-concepts, higher graduation rates, increased leadership skills, more cultural awareness and understanding, higher levels of civic interest, and greater college satisfaction (Chang, Astin, & Kim, 2004, in Espenshade & Walton-Radford, 2009). Moreover, sophomores and juniors who have more friendships with students from other backgrounds and fewer friendships with those who share their own background demonstrate less prejudice when

they graduate, even after controlling for their prejudice levels as first-year students, pre-university friendships, and other background variables (Levin, Van Laar, and Sidanius, in Espenshade & Walton-Radford, 2009). Institutions of higher education have always sought to prepare their students for life after the academy. In a multicultural America, colleges and universities are making efforts to diversify their student populations, which is evidence in and of itself of the real educational benefits of diversity.

### The Supreme Court and Affirmative Action in the States

The United States Supreme Court has been the most significant arbiter in the direction and evolution of affirmative action. In the last three decades, the Supreme Court has applied stricter constitutional standards to affirmative action, thereby limiting its scope. Because of these legal precedents, some states have exercised their autonomy by banning the use of race in college admissions. The most significant Supreme Court cases and state initiatives concerning affirmative action in higher education are discussed.

#### The Affirmative Action Supreme Court Cases

In *Regents of the University of California v. Bakke* (1978), a majority of the Court found the use of quotas in the affirmative action program of the University of California at Davis Medical School and the institution's goal of remedying the effects of societal discrimination to be in violation of the Civil Rights Act of 1964 and the Equal Protection Clause of the Fourteenth Amendment. Yet, another majority held that the consideration of race and ethnicity as a factor to achieve diversity does not violate the equal protection clause but requires strict scrutiny of any

race-based affirmative action program in education; such programs are permissible only if they are narrowly tailored to meet a compelling government interest (*Regents of the University of California v. Bakke*, 1978). Justice Powell provided a fifth vote for both invalidating the university's special admissions program and for taking race into account in admissions decisions for the purposes of diversity in a public university's body (*Regents of the University of California v. Bakke*, 1978). The *Bakke* decision was the first Supreme Court ruling to address the constitutionality of affirmative action (Aka, 2006).

In *Bakke*, Justice Powell stated that “race or ethnic background may be deemed a ‘plus’ factor in a particular applicant’s file, yet this does not insulate the individual from comparison with all other candidates for the available seat” (*Regents of the University of California v. Bakke*, 1978). A notable aperture of this decision was the lack of consensus among the justices on the appropriate standard of review for affirmative action cases—Justice Powell applied strict scrutiny as the standard of review while the Blackmun plurality viewed intermediate scrutiny as the appropriate and applicable standard (Aka, 2006). In spite of delimiting of the scope of affirmative action, the *Bakke* decision offered a partial victory for affirmative action supporters in Justice Powell’s endorsement of diversity and deference to the university’s judgment in fulfilling its “educational mission” (Aka, 2006). The direction of affirmative action in higher education was affected by some key rulings on affirmative action in employment.

In *City of Richmond v. J.A. Croson* (1989), the Richmond City Council adopted the Minority Business Utilization Plan in 1983 because the city’s population was about 50 percent African American while minority contractors received only .67 percent of the city’s major

contracts (Aka, 2006). The Court ruled that the numerical disparity between the city's Black population and the granting of contracts was insufficient to justify the affirmative action program and that the city did not sufficiently implicate itself in the past discrimination it sought to correct (Sterba, 2009). The *Croson* case was the first time that a majority of Court applied the strict scrutiny standard to affirmative action, which is the highest standard of review for questions involving constitutional violations (Aka, 2006). A later ruling by the Court would similarly work to further narrow the purview of affirmative action.

In *Adarand Constructors v. Peña* (1995), a federal affirmative action program involving federal contracts for highway construction provided monetary bonuses to prime contractors who subcontracted at least ten percent of the overall amount to "disadvantaged business enterprises", which included small businesses that were owned and operated by minority groups (Aka, 2006). The Court ruled, in a 5-4 decision, that the standard of strict scrutiny be applied to every racial classification and affirmative action program, regardless of the intention underlying that classification, and irrespective of what entity, federal, state or local, designed that program (Aka, 2006; Sterba, 2009). The case was decided on the grounds of the Due Process Clause of the Fifth Amendment and the Equal Protection Clause of the Fourteenth Amendment (Aka, 2006). Sterba (2009) opines that the Court essentially developed a novel understanding of the Fourteenth Amendment, whereby it is no longer utilized to protect Blacks from racial domination and discrimination from the white majority, rather, the new interpretation primarily protects the white majority from governmental action that favors Blacks and other minorities.

The Michigan cases represent the most recent and arguably, most significant Supreme Court rulings on affirmative action in higher education. Sterba (2009) considers *Grutter v. Bollinger* (2003) to be the U.S. Supreme Court's most important decision on affirmative action. In *Grutter*, a 5-4 majority ruled that the University of Michigan Law School's admission policies were narrowly tailored given the individualized review of applicants and ruled that the law school did not give too much weight to race or make race too decisive in admissions decision-making (Aka, 2006; Sterba, 2009; Zamani-Gallagher, O'Neil-Green, Brown II, & Stovall, 2009). Furthermore, the Court decided that the law school's goal of enrolling a critical mass of underrepresented minorities is a concept "defined by reference to the educational benefits that diversity is designed to produce" and does not amount to the unconstitutional racial balancing or quota (Aka, 2006). In *Grutter*, Justice Sandra Day O'Connor, writing for the majority, purportedly put a time constraint on the justification of race-based affirmative action (Sterba, 2009). In sum, the Court upheld the diversity rationale for affirmative action for graduate programs but would not apply such legal thinking for undergraduate programs.

In *Gratz v. Bollinger* (2003), a 6-3 majority of the Court rejected the university's way of achieving the educational benefits of diversity for its undergraduate program, holding that the bonus-point system was unconstitutional under the Equal Protection Clause of the Fourteenth Amendment (Sterba, 2009; Zamani-Gallagher, O'Neil-Green, Brown II, & Stovall, 2009). Justice O'Connor reasoned that the admissions policy in *Gratz* was "a non-individualized, mechanical one" that did "not provide for a meaningful individualized review of applicants" (Aka, 2006). Justice O'Connor held that the plan in *Gratz* "ensures that the diversity contributions of applicants cannot be individually assessed" and "stands in sharp contrast" to the

*Grutter* program which “enables admissions officers to make nuanced judgments with respect to the contributions each applicant is likely to make to the diversity of the incoming class” (Aka, 2006). In evaluating the Michigan cases, Aka (2006) deems the *Grutter* decision to be a marginal victory for affirmative action and the *Gratz* decision to be a defeat, the key difference being that the undergraduate college was forthright about what plus factor it assigns to race in admissions decisions when it could have won the case by “hiding the ball” (p. 24). The subjection of both cases to strict scrutiny rather than intermediate scrutiny certainly worked to defeat affirmative action in *Gratz* (Aka, 2006), but the Court was acting under the precedence of *Croson* and *Adarand*. The legal struggles over affirmative action continue in state and appellate courts and in state ballot initiatives. Prior to the landmark decisions in the Michigan cases less than a decade ago, California, Texas, Washington, and Florida motioned to repeal affirmative action in the late 1990s.

#### The Elimination of Affirmative Action By State

In *Hopwood v. Texas* (1996), the U.S. Court of Appeals for the Fifth Circuit held that an educational institution can only justifiably implement an affirmative action program if it is designed simply to correct for the past discrimination of that very institution and that Justice Powell’s opinion in *Bakke* was not a binding precedent (Sterba, 2009). The Supreme Court granted certiorari to the Fifth Circuit, allowing for the Texas State Legislature to ban affirmative action in higher education and replace it with the Texas 10 Percent Rule (Sterba, 2009). According to the Fifth Circuit’s rationale, the goal of educational diversity was no longer judged

sufficient to justify an affirmative action program (Sterba, 2009). The implications for minority student enrollment in higher education are later discussed.

California voters in 1996 cast their ballots in favor of Proposition 209, which effectively prohibited student affirmative action and the use of affirmative action in employment decisions for business and education (Zamani-Gallagher, O'Neil-Green, Brown II, & Stovall, 2009). The State of California would later implement a percent plan with the expressed intent of maintaining student diversity in education (Zamani-Gallagher et al., 2009) but as will be noted, such efforts have not met par with affirmative action in that state.

In 1998, Washington voters approved Initiative-200 in a 54 percent to 46 percent decision, eliminating affirmative action in that state (Zamani-Gallagher, O'Neil-Green, Brown II, & Stovall, 2009). The State of Washington has a relatively homogenous population and its top public universities have not restored their diversity numbers since the passage of this initiative (Zamani-Gallagher et al., 2009; Brown & Hirschman, 2006).

On February 22, 2000, the Florida Legislature approved Governor Jeb Bush's One Florida Plan, which ended affirmative action across state entities (Zamani-Gallagher, O'Neil-Green, Brown II, & Stovall, 2009). In April 2000, Governor Bush introduced the Florida Talented Twenty Program, which stipulates that students must complete 19 college prep courses and the top 20 percent of every public high school would be admitted irrespective of race (Zamani-Gallagher, O'Neil-Green, Brown II, & Stovall, 2009). The short-run and long-run economic consequences of this enactment are intriguing considering the state's increasingly

diverse population. A review of the effects of removing affirmative action in higher education is constructive in assessing the significance of the policy and its objective.

### Affirmative Action in the States

In the 1990s, affirmative action was banned in four states. Affirmative action was banned by state ballots in California and Washington, a district court ruling in Texas, and an executive order by the governor of Florida. The states that have banned affirmative action have instituted other plans with the expressed intent of achieving educational diversity without utilizing race-conscious policies. In an effort to sustain campus diversity, public universities have broadened their minority outreach and recruitment efforts. The effect of the affirmative action bans on minority enrollment at flagship universities is well documented and serves as a basis for the focus of this study.

### California

The University of California is the most prestigious and well-funded of the three public university systems in California. The University of California-Berkeley and the University of California-Los Angeles are the flagship institutions of the UC System and are nationally recognized for research and innovation. The diversity of these flagship institutions does not reflect the diversity of the State of California, which is the most populated state in the nation and has a majority-minority population. The effects of removing affirmative action are most readily noted by examining the selective UC System.

### *Affirmative Action Prior to Proposition 209*

In a 1989 review of the Master Plan, which established the three-tiered public university system in California, the Joint Legislative Committee stated, “We seek an educational system which imaginatively ensures that the full benefits of learning are now available to persons now in the margins. We want programs of outreach and encouragement which move beyond the formality of opportunity to ensure the access and success of all students. We want opportunities backed up with programs and resources” (Ratliff, Rawlings, Ards, & Sherman, 1997). The UC System implemented these recommendations and authorized their admissions offices to incorporate non-academic factors (see Appendix A) in effort to assemble diverse classes of new students annually (Ratliff et al., 1997). A stagnating state economy and a scarcity of public benefits may have prompted Governor Pete Wilson to issue Executive Order W-124-95, which repealed all previous executive orders calling for affirmative action programs (Ratliff et al.). In 1996, California voters approved Proposition 209, the California Civil Rights Initiative, which amended the state’s constitution to prohibit discrimination or the granting of preferences in education, employment or contracting based on race/ethnicity, gender, or national origin (Ratliff et al.). The passage of the Proposition 209 disallowed public universities in California from using race as a factor in admissions and prevents the University of California from practicing race-conscious affirmative action (Chapa & Horn, 2007).

### *The Effect of Proposition 209 on Minority Enrollment*

The impact of the affirmative action ban in California had an immediate and adverse effect on campus diversity. From 1997 to 1998, the number of African American students who

were admitted to UC-Berkeley dropped by 57 percent (Journal of Blacks in Higher Education [JBHE], 2002), the number of Hispanic students dropped by 40 percent, and the number of White students dropped only by 5 percent (University of California-San Diego, 1998). The ratio of admissions for African American and Hispanic applicants also experienced precipitous declines at UCLA and UC-San Diego (U.S. Commission, 2002). Clearly, the removal of affirmative action depressed minority student enrollment in California's institutions of higher education.

#### *The University of California: Admissions*

In 1996 the UC System adopted "Admission by Exception", whereby UC campuses could admit up to 6 percent of newly enrolled freshmen who did not meet the eligibility requirements but demonstrated reasonable potential for success (U.S. Commission, 2002).

The "Eligibility in the Local Context Program", also referred to as "The 4 Percent Plan", took effect in 2001 (U.S. Commission, 2002). The UC System began admitting the top 4 percent of students in each high school in the state if they successfully completed specific college preparatory coursework (U.S. Commission, 2002). The ELC program did not bring about a major change in UC admissions because the California Master Plan already guaranteed admissions to California high school students who graduate in the top 12.5 percent statewide (U.S. Commission, 2002). The ELC added about 3,600 new students to UC's eligibility pool who were in the top 4 percent of their high school but who were not in the top 12.5 percent statewide (U.S. Commission, 2002). The ELC has admitted relatively few new students, but has

increased applications from high schools that previously had a small number of applicants to UC, including rural and urban high schools (Chapa & Horn, 2007).

In 2001 the UC Board of Regents adopted the Comprehensive Review process, which replaced the requirement that 50 to 75 percent of students be admitted on academic criteria alone (U.S. Commission, 2002). Under comprehensive review, student records are analyzed not only for grades and test scores, but also for evidence of such qualities as motivation, leadership, intellectual curiosity, and initiative (U.S. Commission, 2002). Chapa and Horn (2007) claim that the ELC and Comprehensive Review can potentially counteract, albeit to a small extent, the unequal access to K-12 educational opportunities faced by African Americans, Hispanics, and poor people (p. 166). Chapa and Horn (2007) note that the increase in the proportion of underrepresented minorities in the UC freshman class is associated with vigorous outreach efforts.

*The University of California: Minority Recruitment and Outreach*

Minority outreach programs came under scrutiny in 1997 after the statewide race ban took effect (U.S. Commission, 2002). Universities responded by launching outreach programs based on geographic distribution and socioeconomic status and began targeting students from schools that had significant educational disadvantages and schools that produced few college-bound students (U.S. Commission, 2002). The University of California-Berkeley enumerates four items in its outreach mission. The fourth item reads: “To address the challenge of diversity by increasing the enrollment of African American, Chicano/Latino, and Native American students at Berkeley and throughout the University of California system” (Center for Educational

Outreach, 2011). The University of California-Berkeley has several outreach programs and partnerships designed “to improve educational opportunity and help prepare students for university admission and success” (Center for Educational Outreach). Such programs are critical for maintaining campus diversity in a state with a diverse population that has prohibited the use of affirmative action.

## Texas

The University of Texas-Austin and Texas A&M University are the flagship institutions in Texas. The University of Texas-Austin has been the center of much affirmative action controversy. The diversity of these institutions is of interest to researchers because Texas is one of the five most populated states and is one of four states with a majority-minority population. Similar to California, the campus diversity of the state’s flagship institutions is not reflective of the state population.

### *Affirmative Action Prior to Hopwood*

The University of Texas had considered race as a factor in admissions at the undergraduate, graduate, and professional school levels since the 1970s (Chapa & Horn, 2007). In 1992, Cheryl Hopwood filed suit against the University of Texas School of Law claiming that race-conscious policies are a violation of the Equal Protection Clause of the Fourteenth Amendment (Chapa & Horn, 2007). In 1996, the Fifth Circuit Court of Appeals ruled that, “within the general principles of the Fourteenth Amendment, the use of race in admissions for diversity in higher education contradicts, rather than furthers, the aims of equal protection...” (Chapa & Horn, 2007). The *Hopwood* decision disallowed the University of Texas from

considering race in its admissions decisions (Chapa & Horn). The University of Texas-Austin used a holistic review of freshman applicants to include subjective criteria such as essays, awards, honors, service, and work experience (Chapa & Horn). Nevertheless, the campus diversity could not be sustained with the sweeping changes to the university admissions policies.

### *The Effect of Hopwood on Minority Enrollment*

In terms of gaining admission to the University of Texas-Austin and Texas A&M University, Hispanics and Blacks are worse off under the Texas Top 10 Percent Rule than they were under affirmative action (Long, Saenz, & Tienda 2010). In 1997, the year following the Hopwood decision, the percent of minority applications to UT fell by about 10 percent and the admission rate for minority applicants to TAMU fell by about 20 percent (Dickson, 2006). The declines in application rates to both UT and TAMU translates into an annual loss in Hispanic applications that range from 240 at UT to nearly 700 at TAMU and for Blacks, the number of applicants ranges from more than 60 to UT to more than 300 to TAMU (Long, Saenz, & Tienda 2010). Hispanics and Blacks witnessed lower admissions prospects at UT and TAMU after the ban on affirmative action and reached their lowest point under the Top 10 Percent Rule, which implies a compounding of application and admission disadvantages that translates into fewer potential enrollees (Long, Saenz, & Tienda 2010). In 1997, the enrollment rate at UT for White students increased from 64.7 to 66.8 percent while the enrollment rate for Black students dropped from 4.1 percent to 2.7 percent and from 15.5 percent to 12.6 percent for Hispanic students (U.S. Commission, 2002).

Card and Krueger (2005) find that after the elimination of affirmative action in Texas, the Black and Hispanic admissions rate at Texas A&M fell from 90 percent to 70 percent. Although Card and Krueger (2005) acknowledge that minority student admissions decreased after the ban of affirmative action in Texas, they also suggest that the elimination of affirmative action had little or no effect on the application behavior of highly qualified minority students. High-achieving minority students may continue to apply to top-tier institutions in spite of the absence of the assurance that affirmative action may provide, but Long (2004a) finds that, after the elimination of affirmative action in Texas, minority students sent their SAT score reports to lower quality colleges. Moreover, the average test scores of applicants to less selective institutions increased, which also suggests that students with higher test scores applied to a broader set of universities (Long & Tienda, 2009, cited in Long, Saenz, & Tienda 2010). At the very least, one can safely assume that minority applicants become less ambitious when affirmative action is no longer present as was found to be the case in the State of Washington.

#### *HB 588 – The Top 10 Percent Plan*

The Texas Top Ten Percent Plan (TTPP) took effect for the Fall 1998 term (Chapa & Horn, 2007). The TTPP guarantees automatic admission for every student in the top 10 percent of their graduating class into the institution of their choice (U.S. Commission, 2002). The TTPP was not intended to act as a direct and effective substitute for race-conscious policies (Chapa & Horn, 2007). The creators of the plan note, “We do not believe that the Ten Percent Plan will reverse the losses that the elimination of affirmative action occasioned or become the alternative that the President and others believe it has become” (Chapa & Horn). The TTPP does, however,

provide admissions guidelines for considering students who do not place in the top 10 percent of their class—a combination of factors are permissible, including:

- Socioeconomic background, including household income and parent’s level of education.
- Whether an applicant is bilingual.
- The financial status of the applicant’s school district.
- The performance level of the applicant’s school as determined by the school accountability criteria used by the Texas Education Agency.
- An applicant’s responsibilities outside of school, including employment and assisting in raising a child.
- An applicant’s performance on standardized tests.
- An applicant’s performance on standardized tests in comparison with that of other students from similar socioeconomic backgrounds.
- An applicant’s personal interview.
- Any other consideration an institution deems necessary in accomplishing its stated mission (U.S. Commission, 2002).

*The University of Texas: Minority Recruitment and Outreach*

In response to the limitation set by the *Hopwood* decision, the University of Texas started the Longhorn opportunity scholarship program in 1998 (Dickson, 2006). The program offers scholarships of \$4,000 each year to students who graduate from high schools that have an average parental income of less than \$35,000 and if less than 35 percent of the high school

graduates sent their college admission test scores to UT in the previous year (Dickson, 2006). In 1999, the University of Texas and Texas A&M began using an “adversity index” in which personal difficulties or challenges are counted as factors when awarding scholarships to students (Selingo, 1999b). Alumni associations and fund-raising foundations—both of which, as private, non-profit groups that are not constrained by the Hopwood ruling—have increased their support for race-exclusive scholarships (Selingo, 1999b). In 1999, the Ex-Students Association at UT raised \$4.2 million since the Hopwood decision and distributed about \$800,000 to 200 students to help fill gaps in financial need (Selingo, 1999b). The increased funding for scholarship aid can act as an outreach program in that minority students can perceive that the university makes an effort to address their real financial needs.

The University of Texas currently sponsors five University Outreach Centers across the State of Texas (University of Texas, 2011). An excerpt of the stated purpose of the University Outreach Center reads, “...to increase the number of ethnic minority students in the pipeline for postsecondary education...because of the importance of “closing the gaps” in educational achievement for non-majority Texans. To this end, the purpose of the University Outreach Centers is to provide college access information to junior high and high school students, enrolled in our target schools, in preparation for higher education.” (University of Texas). The mission of the University Outreach Center reads, “Our mission is to assist underrepresented students in grades 8-12 to excel academically, take college entrance exams, graduate high school, complete college admissions and financial aid applications, and enroll at an institution of higher education. This is accomplished through a variety of interventions that are relevant to the needs

of the target students” (University of Texas). The minority outreach efforts by the University of Texas shows that the research institution is also a partner in the community.

## Washington

Washington is not a very diverse state and affirmative action made a difference for minority enrollment. The University of Washington is the flagship research institution and the removal of affirmative action depressed the enrollment of minority students at UW. Prior to the passage of Initiative-200, state institutions made directed efforts to reach out to underrepresented students in the State of Washington.

### *Affirmative Action Prior to Initiative-200*

The statute that created the Higher Education Coordination Board (HECB) in 1985 specified the duties of the board, “Establish minimum admissions standards for four-year institutions,” and “make recommendations to increase minority participation, and monitor and report on the progress of minority participation in higher education” (Ratliff, Rawlings, Ards, & Sherman, 1997). Among the newly established admissions standards was the implementation of alternative admissions, which were intended to encourage student body diversity and permit institutions to reach out to underprepared students (Ratliff et al., 1997). The HECB set a maximum of 15 percent of new enrollees that could be admitted via alternative admissions, but later broadened its inclusivity (Ratliff et al.). The HECB implemented the Policy on Minority Participation and Diversity, which set goals for participation rates for each ethnic group comparable to rates for all state residents as a whole (Ratliff et al.). Each four-year institution set enrollment goals for minority students that were reflective of the local population rather than the

state population, which was a more demanding objective than that set by the HECB (Ratliff et al.). In the early 1990s, affirmative action was supported by state statutes, an executive order, and state funding (Ratliff et al.), but this backing would be reversed by the end of the decade. In 1998, voters in Washington approved Initiative-200, thereby prohibiting all racial preferences on the part of any agency of the state government, including the state university system (JBHE, 2002).

### *The Effect of I-200 on Minority Enrollment*

The percentage of minority high school students who applied to the University of Washington in 1999 decreased relative to 1998, suggesting a “discouragement” effect for all applications by minority students after the passage of I-200 (Brown & Hirschman, 2006). After the repeal of affirmative action in Washington in 1998, the fundamental conditions remained the same and no new barriers were instituted to increase the exclusivity of UW, but the loss of a policy that provided a welcoming and positive face in applying for admission at a large research university may have discouraged a cohort of qualified minority students from applying to UW (Brown & Hirschman, 2006). These researchers suggest that the decline in minority students at the University of Washington was primarily the result of declines in college applications from prospective minority students whose qualifications were likely to gain them admission on universalistic standards of grades and test scores (Brown & Hirschman, 2006). After the ban, the enrollment of African American students at UW dropped by 21 percent (JBHE, 2002). The minority students were likely responding to the *in terrorem* effect, which is a subtle message that minorities are not necessarily welcome to apply to the university (JBHE, 2002).

At the University of Washington, minority admission rates have recovered to their pre-1999 levels but there are still substantial majority-minority gaps in the overall transition rates from high school senior to UW freshman (Brown & Hirschman, 2006). In addition, Brown and Hirschman (2006) make clear that the rates of admission of minority applicants at UW were only marginally lower in 1999 than in 1998, but even a small growth in the proportions of qualified minorities who apply is likely to translate into a substantially larger number of minorities in the first-year university enrollment.

*The University of Washington: Admissions and Minority Student Outreach*

In compliance with state and federal regulations, the University of Washington admission policy provides for a selective admission process with the objective of attracting students who demonstrate the strongest prospects for high quality academic work (Rules Coordination Office, 2011). As part of the application of state law to admissions, UW states that, “This selective admission process shall assure that the University's educational opportunities shall be open to all qualified applicants without regard to race, color, creed, religion, national origin, sex, age, marital status, sexual orientation, disability, or military status. The process of admission shall be mindful of the need for diversity in the student body and for highly-trained individuals from all segments of the population” (Rules Coordination Office). In terms of minority recruitment, UW states, “The University seeks affirmatively to recruit qualified minority group members, women, persons age 40 and over, protected veterans, and individuals with disabilities in all levels of employment as part of its commitment to achieve its goals and interests with respect to faculty and staff employment as reflected in its affirmative action plan” (Rules Coordination Office).

The stated mission of the University of Washington Recruitment and Outreach Program reads, “To identify and recruit academically competitive underrepresented students who will apply and, if admitted, choose to enroll at the University of Washington. We will achieve this by making multiple visits to locations deemed ‘diversity’ sites such as high schools, community colleges, churches, and community centers. We will also offer a variety of annual outreach programs designed to provide selected students an opportunity to visit our campus. In this way, we will support the diversity goals of our institution while providing a service to the community at large” (University of Washington, 2011). The university also maintains several outreach programs including the TRIO Talent Search, Upward Bound, the University of Washington State GEAR UP Project, and other targeted community programs (University of Washington).

## Florida

Florida is one of the five most populated states in the nation and has a non-white population of over 40 percent (U.S. Census, 2011). The removal of affirmative action in Florida has acted to limit the admissions prospects of minority applicants to the state’s flagship research institutions. The University of Florida and the Florida State University are the subject of this study and will be examined in greater detail in later chapters.

### *Affirmative Action Prior to the One Florida Initiative*

The use of race as a factor in undergraduate admissions was legally permissible in Florida until the issuance of Executive Order 99-281, also referred to as the One Florida Initiative (OFI), in 1999 (Selingo, 1999a). Although the OFI did not repeal any affirmative action laws in Florida (U.S. Commission, 2000), it prohibits the “use of racial or gender set-asides, preferences

or quotas in admissions to all Florida institutions of Higher Education...” (Bush, 1999). The University of Florida (UF) resisted the Governor’s mandate via aggressive minority recruiting, but the Florida State University (FSU) was already deemphasizing race and preparing alternative admissions techniques by the time One Florida was announced (Marin & Lee, 2003).

### *The Preliminary Effects of the One Florida Initiative*

A simple review of the preliminary effects of the affirmative action ban can provide a basis for the core of this study. The percentage of applications for African Americans decreased at UF and FSU from 2000 to 2001, the time when the associated Talented Twenty Program went into full effect (Horn & Flores, 2003). The admissions offers for African Americans at both institutions also declined over this time period, but actually increased for Hispanics (Horn & Flores, 2003). From 2000 to 2001, the African American and Hispanic enrollment decreased at UF and increased at FSU (Horn & Flores, 2003). These trends foster much intrigue and warrant further inquiry.

### *The Talented Twenty Program*

The Talented Twenty Program was created by Governor Jeb Bush as part of his Equity in Education Plan in an effort to maintain the diversity of Florida’s institutions of higher education. The Talented Twenty Program does not provide automatic admission to any Florida public institution, but guarantees admission to one of the eleven schools in the State University System (SUS) for students who graduate in the top 20 percent of their high school and meet certain course requirements (Long, 2004b, See Appendix B). An analysis of the Florida program

showed that students at seventy-five of Florida's high schools could have carried a C+ average and still have ranked in the top 20 percent of their class (Sterba, 2009). In the first year of its implementation, the freshman cohort was disproportionately female, white or Asian, and non-poor: 65 percent were female, and 26 percent were underrepresented minorities compared to 43 percent of Florida's 11<sup>th</sup> grade students in 1998-1999 (Long, 2004b). Of the qualified students, 12 percent received free or reduced-price lunch compared to 28 percent of Florida's high school students (Long, 2004b). Sterba (2009) finds that diversity in Florida's higher education institutions have been restored since this precipitous decline a decade ago, but further inquiry should account for the robust increases in the minority population during that time period.

Research suggests that the Talented Twenty Program has a minor effect on minority enrollment and is not the explanation for the current diversity levels at Florida's public institutions (U.S. Commission, 2002; Marin & Lee, 2003; Long, 2007). The program implemented as a replacement for affirmative action has not improved undergraduate diversity (U.S. Commission, 2002) and has produced more local administrative formalities than affirmative action. According to the research, the Talented Twenty Program does not seem to be upholding its stated purpose (Marin & Lee, 2003).

The relevance and purview of the Talented Twenty Program can be questioned. In the first year of the program, there were 16,047 applicants to public Florida universities who were in the top 20 percent, only 711 were rejected by all of the institutions for which they applied and of those 711, only 30 had applied to more than three public universities, which is the first requirement in exercising the program's guarantee (Long, 2007). Marin and Lee (2003) suggest

that the Talented Twenty Program does not change students' potential to be accepted by SUS institutions, especially since they are not guaranteed admission to the university of their choice. Furthermore, in 2001, fewer than half of all the students in the Talented Twenty pool enrolled in the SUS (Marin & Lee, 2003). The guarantee of admission grants minority students access to colleges where they would have already been accepted (Long, 2004b; Marin & Lee, 2003), rendering the program as negligible overall. Marin and Lee (2003) proclaim that the Talented Twenty Program is an unsuccessful race-neutral alternative. Long (2007) claims that it is unlikely that the apparent positive results observed in Florida could be attributed to the Talented Twenty Program and that the combination of strategies to replace affirmative action cannot be expected to restore minority representation at the public universities in Florida.

A report by the U.S. Commission on Civil Rights (2002) states that affirmative action has not brought nearly enough minorities into higher education, but the Talented Twenty Program is unable to do any better. It is significant that the University of Florida has gone beyond the Talented Twenty Program to improve diversity (U.S. Commission, 2002). The same can be said about the Florida State University. If public institutions implemented a series of minority recruitment and outreach programs in response to the affirmative action ban, it is likely because university administrators determined that the Talented Twenty Program would not be a viable substitute. Marin and Lee (2003) found that the Talented Twenty Program disproportionately supports Whites and Asians and reinforces inequalities because guidance counselors at poorly resourced schools are likely to be overburdened with additional tasks.

Students interested in the Talented Twenty Program may find difficulty in identifying some of the requirements. The program's lack of formal processes and of a centralized office gives students and counselors little guidance as to how to ensure that students can exercise their admissions guarantees or receive priority with regard to financial aid (Marin & Lee, 2003). The program's decentralized system of administration reduces accountability (Marin & Lee, 2003). The main Talented Twenty website is a single webpage that offers a minimal explanation of the program and instructs interested parties to contact their guidance counselors. Students who meet the program requirements must contact their high school guidance counselor who then negotiates with the state for a placement in one of the remaining public institutions (M. Long, personal communication with M. Ubiles, October 17, 2011). In sum, the administration of the Talented Twenty Program is uncoordinated, decentralized, and relies heavily on the efficacy of high school guidance counselors. The Talented Twenty Program, as currently constituted, can hardly be characterized as a meaningful and concerted effort to support undergraduate diversity.

### *Florida Student Scholarships*

Unmet financial need is one of the main concerns for college-bound minority high school students. This section highlights the Florida Bright Futures Scholarship, which is a key source of educational funding for many college students in Florida.

The Florida Bright Futures Scholarship (FBF) was created by the Florida Department of Education in 1997 (Stranahan & Borg, 2004). The FBF scholarship is partially funded by the state's lottery tax and provides tuition coverage to all qualified students attending public postsecondary institutions in Florida (Stranahan & Borg). The FBF scholarship used to provide

full or partial tuition coverage (Stranahan & Borg), but now only offers partial coverage as a result of the changes imposed by the state legislature in 2009 and 2011 (University of Central Florida, 2009; Florida State University, 2011). The FBF program has three different scholarships with varying academic requirements for receipt of the award (Florida Department of Education, 2011). A decrease in the funding of the FBF program, which is the main source of educational funding for Florida college students, threatens the prospects of college completion for *all* students, especially when considering the steady increase in tuition.

#### *University of Florida: Minority Recruitment and Outreach*

In 2002, the University of Florida experienced a substantial recovery in its minority enrollment, for which then President Charles Young credited to “very active outreach, recruitment, and support programs” (Marin & Lee, 2003). The University of Florida already had a long history of outreach programs that fostered diversity, but the university added more after 1999 (Marin & Lee, 2003). Executive Order 99-281 only disallowed the consideration of race in admissions; other such programs can be race-conscious and these were strengthened at UF (Marin & Lee, 2003). The programs established were designed to improve the image of UF to future minority students (Marin & Lee, 2003).

The University of Florida has an extensive minority recruitment effort involving statewide high school visits, recruitment conferences, and campus tours (See Appendix C). The UF College of Education houses the UF Alliance Program, which partners the College of Education with urban high schools to provide professional development for administrators, teachers, and counselors, among its other key initiatives (University of Florida, 2012a). The UF

Counseling and Wellness Center offers the ASPIRE Program, which offers workshops designed to promote the retention and academic success of multicultural and first-generation college students (B. Pritchett-Johnson, personal communication with M. Ubiles, January 23, 2012). The UF Career Resource Center hosts the Gator Launch Mentoring Program, which is a mentoring and education program for second- and third-year underrepresented students in the science, technology, engineering, and math fields (University of Florida, 2012b). UF provides several academic support programs for minority students including the University Minority Mentoring Program, OASIS, and STEP-UP among others (See Appendix D). UF also has cultural centers, institutes, and organizations that host social and cultural enrichment events (See Appendix E). Intuitively, these programs play an essential role in the recruitment and retention of minority students. For Marin and Lee (2003), “It is the race-targeted recruitment, aid, and support programs that are critical at UF” (p. 34). Future research can use case studies or student surveys to assess how such programs affect the minority enrollment at UF.

#### *The Florida State University: Minority Recruitment and Outreach*

In an effort to attract minority students to FSU, the university sent minority recruitment officers to high schools with diverse populations in Miami, Tampa, and Jacksonville (Marin & Lee, 2003). FSU Assistant Vice President of Admissions John Barnhill claimed that targeted recruitment was absolutely essential to maintaining diversity (Marin & Lee, 2003). Similar to UF, FSU offers several programs that aim to attract and retain minority students.

In 2000, the Florida State University established the Center for Academic Retention and Enhancement (C.A.R.E.) in response to the Executive Order in 1999, combining two long-

established institutional academic support programs (Florida State University, 2012a). C.A.R.E. provides preparation, orientation and academic support programming for first-generation college students, and for students who may face unique challenges in college because of economic, cultural or educational circumstances (Florida State University, 2012b). The Horizons Unlimited Program and the Summer Enrichment Program are recruitment and retention programs designed that aim to increase the representation of minorities and other disadvantaged students in higher education (Florida State University, 2012a). The College Reach-Out Program (CROP) is an educational and motivational program that is designed to help middle and high school students at targeted schools prepare for a successful college education (Florida State University, 2012c). The University Experience Program is a cost-free program that allows high school juniors and seniors to experience college life by attending workshops, sitting in on classes, taking campus tours, and being housed in a residence hall (Florida State University, 2012d). The Summer Bridge Program is a seven-week program for first-generation college students, and students who are disadvantaged by economic, cultural or educational circumstances, which aims to ease the students' adjustment to college life and build a foundation for academic success (Florida State University, 2012e). The Freshman Incentive Scholarship is a merit-need-based award granted to the freshman students who demonstrate competitive high school grades and test scores (Marin & Lee, 2003). FSU has other efforts throughout the university that aim to recruit and maintain diversity, such as the Office of Recruitment and Retention in the College of Education. The Florida State University can be recognized as taking positive measures to recruit a diverse student population.

## The Top Percent Plans

The top percent plans have not increased the diversity at public universities and scholars question the actual intent of the replacement programs. Sterba (2009) holds that affirmative action alternatives such as the percent plans in Texas and Florida are usually put forward by opponents of affirmative action and are presented as race-neutral means of securing the educational benefits of diversity. Zamani-Gallagher, O’Neil-Green, Brown II, and Stovall (2009) are also skeptical of the replacement policies, “It is apparent from the extant literature that so-called color-blind policies in Washington and percentage plans in California, Florida, and Texas do not increase minority student participation in higher education.” (p. 139). In an evaluation of the top percent plans, Sterba (2009) argues that:

“...despite their claims to be race-neutral, these percentage-plan alternatives are really race-based themselves. They are a means that are chosen explicitly because they are thought to produce a desirable degree of racial diversity. In this regard, they are no different from the poll-taxes that were used in the segregated South, which were purportedly race-neutral means, but were clearly designed to produce an objectionable racial result—to keep Blacks from voting. Accordingly, if we are going to end up using a race-based selection procedure to get the educational benefits of diversity, we might as well use one that most effectively produces that desired result, and that is a selection procedure that explicitly employs race as a factor in admissions” (p. 78).

Currently, the Texas Top Ten Percent Plan and the Florida Talented Twenty Program admit undergraduate minorities that approximate the levels accomplished with race-based affirmative

action programs, but this was not accomplished without a substantial increase in scholarship aid for minorities or using smaller class sizes and a variety of remedial programs (Sterba, 2009). Also, both plans rely on the de facto segregation of the high schools in these states to produce this diversity (Sterba, 2009). A public policy that is reliant upon residential segregation cannot be construed as increasing postsecondary educational access to disadvantaged minorities because the underlying assumption, perhaps expectation, is that Blacks and Hispanics will not be able to move to more affluent residential areas. The stipulations of percentage plans complicate the educational pipeline for minority students. Harris and Tienda (2010) claim that affirmative action continues to be the most efficient policy to diversify college campuses, even in highly segregated states like Texas.

Ultimately, there are not enough minority students in the top percentage of American high schools for such programs to improve minority shares in top-tier colleges, especially when the top percent plans stipulate course requirements or limit campus choice (Long, 2004b). The elimination of race-based preferences for minority college applicants would shift these students to less selective institutions (Long, 2004b). Affirmative action is not only the most efficient means for achieving collegiate diversity (Harris & Tienda, 2010); it is the most assured program that achieves these ends. The top percentage plans do not support the educational attainment of minorities (U.S. Commission, 2002) and the responsibility now falls on institutions of higher education to make outreach efforts that target underrepresented populations.

## **CHAPTER 3: METHODOLOGY**

The sensible and tried method of testing the effect of affirmative action in undergraduate admissions is to assess the change in the rate of minority applicants, admits, and enrollees at flagship institutions over time. Prior literature has found significant drops in these figures when race-conscious affirmative action in undergraduate admissions was removed in state public universities. This study will focus on the undergraduate minority enrollment at the University of Florida and the Florida State University in effort to note the effect of the removal of affirmative action and the effectiveness of the Talented Twenty Program in maintaining student diversity at each institution. The purpose of this research is to find if the use of race as a factor in undergraduate admissions has affected the college enrollment of undergraduate Black and Hispanic students at the University of Florida and the Florida State University. The expectation is that the proportion of minority undergraduates at these institutions decreased as a result of the removal of affirmative action.

### A Discussion of the Essential Concepts

For purposes of this study, affirmative action in undergraduate admissions is simply the use of race as a factor in admissions decisions. While institutions utilize different methods for admitting freshman applicants, admissions offices typically evaluate candidates and make decisions based on several factors. It is important to note that the use of race as a factor for admission to Florida's universities was discontinued in November 1999 as a result of the One Florida Initiative.

The application rate, the admissions rate, and the enrollment rate of minority students at top research institutions has been used by scholars to assess the effect of affirmative action (Horn & Flores, 2003; Marin & Lee, 2003; Card & Krueger, 2005; Brown & Hirschman, 2006; Long, 2007; Colburn, Young, & Yellen, 2008; Long, Saenz, & Tienda, 2010). An explanation of why each measure is used can allow for a better understanding of this study.

The change in the application rate is used to assess how college-bound minority high school students respond to state policy changes. That is, how does their application-sending behavior change in response to the ban of affirmative action in a given state? While Brown and Hirschman (2006) found that the number of minority applications to the University of Washington decreased, Card & Krueger (2005) found no such change in the score-sending behavior of high-achieving minority applicants in California. Specific to Florida, research has found a drop in the number of minority applications to the UF and FSU after the policy change (Horn & Flores, 2003; Marin & Lee, 2003; Long, 2007). Intuitively, the change in the minority application rate is largely a consequence of how information on university admissions is transmitted through high schools. The prospects of admission as perceived by college-bound minority high school students must also play a role in whether or not they attempt to apply to state institutions. If these students believe that their chances of admission are low, in the absence of affirmative action, then they are unlikely to complete undergraduate applications for top universities. The application rate is mostly a measure of how college-bound minority high school students react to changes in the climate of higher education admissions.

The admissions rate is perhaps the most suitable measure for assessing the effect of race-conscious admissions. The admissions rate captures exactly how the use of race as a factor assisted minority students in their admission because the application review process is closed and the final decisions for acceptance are not likely to be byproducts of any external influences. Although admissions officers may consider several factors, these factors must conform to institutional, state, and federal policy. The implementation and removal of affirmative action primarily affects the bureaucratic processes of higher education institutions. When race is no longer one of the factors considered in admissions, such decisions become reliant on traditional factors (test scores, GPA, letters of recommendation, essays, etc.) and other comprehensive factors (socioeconomic background, bilingualism, etc.).

The enrollment rate is the most inexact of the three measures for evaluating the effect of race-conscious university admissions. The enrollment rate is comprised of not only which students applied and were admitted, but also which students decided to attend by enrolling in courses. The decision to enroll in an institution that a prospective student applies to is a decision that is made after a student considers their living arrangements, personal financial stability, and ability to pay tuition costs via need-based grants or scholarships. For college-bound minority students, the decision to move away from their family may be such a sacrifice that they do not enroll into a university for which they were admitted because their family is reliant on their household or work contributions. Some minority students may be unable to assume the steep costs of enrollment at a top institution. For these reasons, the enrollment rate is not an ideal indicator of the effect of affirmative action but can still be used to note the overall trends in affirmative action and non-affirmative action eras in the states.

Selective institutions are chosen for affirmative action studies because the effect of race-conscious admissions is more properly gauged at these universities. Second-tier institutions admit a high percentage of their applicants and the use of race as a factor may be negligible in a holistic review of the applicant. The real difference is noted when the use of race provides the additional plus that allows for an applicant's admission when they otherwise would not be admitted without the consideration of race in admissions, this occurs at selective institutions. The extant literature tested the aforementioned variables at state research institutions such as the University of California-Berkeley, UCLA, UT-Austin, and the University of Washington for example. Some studies have focused on as many as six institutions (Horn & Flores, 2003; Long, 2007); others have analyzed only one state flagship institution (Brown & Hirschman, 2006). Most researchers have studied at least two universities and this study will follow by highlighting two universities also. The University of Florida and the Florida State University are the flagship institutions of the State of Florida and are the only universities in Florida, along with New College of Florida, that are classified as "more selective" in their admissions by the Carnegie Foundation. New College was omitted in the Marin and Lee (2007) report and will also be omitted from this study because it is classified by the Carnegie Foundation as a "very small" institution and it is not a state flagship university.

Other than the implementation and removal of affirmative action programs, other factors are expected to influence minority enrollments including: greater academic performance by prospective students over time, increased financial assistance, and increased minority population growth over the observed time period. An increase in the academic performance of undergraduate minority applicants would lessen the effect of the use of race in the admissions

process because the applicants would have more competitive application profiles. An increase in financial assistance may also affect the minority undergraduate enrollment because prospective students may perceive postsecondary matriculation as a feasible possibility if there are greater sources of educational funding. An increase in the state's minority population expands the pool of potential minority applicants.

### Data Collection

The State University System (SUS) Florida Board of Governors will be the data source for acquiring information on undergraduate enrollment by race at the University of Florida (UF) and the Florida State University (FSU) since 1991. Data requests were submitted for each university, but UF was unable to provide any data due to limited staff and information requests by the Governor. FSU provided data on Black and Hispanic applications, admissions, and enrollment from 1995 through 2010—these data will be used as a supplement to the core data utilized because the lack of UF data disallows effective comparisons and proper analysis. The undergraduate enrollment data from the SUS will be used for comparing the two universities.

From the SUS website, student enrollment figures were generated for lower-division undergraduates who were considered residents of the State of Florida. Additional information, such as first-time in college (FTIC), Black, and Hispanic enrollments, was also gathered. The use of enrollment has the limitations already described, but instead of analyzing all undergraduates, focusing on lower-division undergraduates can more closely measure the entering freshman class to the exclusion of upper-division transfer students. The rationale for

using the FTIC and race variables is to include all students who are minorities in this study, which is the primary group of students that affirmative action is expected to assist. The reason for choosing in-state students is because out-of-state students are less likely to be aware of the changes in undergraduate admissions of a different state.

The FSU supplemental data will be used to construct two separate models. The FSU data is more specific than the data obtained from the SUS website because it includes Black, Hispanic, and all freshman applicants, admits, and enrollees from 1995 through 2010. The enrollment data from the SUS website includes undergraduate sophomores, which poses an acknowledged error in measurement for the other models. Although the FSU data does not extend back to 1991, the data includes a five-year affirmative action period (1995-1999) and an eleven-year non-affirmative action period (2000-2010), which is adequate for statistical modeling—particularly given the limitations mentioned above. The strength of the FSU models is that they can illustrate the effect of affirmative action more closely because the entering freshman class is the cohort that is most affected by the use of race-conscious affirmative action in university admissions.

In accordance with political research methods, the concepts of interest must be described in testable terms. The affirmative action policy change will be denoted by a binary variable. The nine-year affirmative action era (1991 – 1999), coded as 0, was the time period in which race was a factor in the admissions process and the eleven-year non-affirmative action era (2000 – 2010), coded as 1, is the time period in which race was not a factor in admissions decisions. The undergraduate minority enrollment during the two time periods will be compared to note the

effect of affirmative action. The academic performance of prospective students will be measured by using mean SAT scores for Black and Hispanic test takers in Florida as reported by College Board. The SAT scores extend back to 1998, which is useful because it includes two years prior to the policy change and eleven years after the policy change. The rationale for using SAT scores by race and ethnicity is to assess whether improved student performance offsets the effect of race-conscious affirmative action in university admissions. If students are performing better on the entrance exam, their applications become more competitive and the use of race as an admissions factor lessens in importance.

Financial assistance will be measured by using the total number of Florida Bright Futures (FBF) scholarship recipients at UF and FSU as reported by the Florida Department of Education's Office of Student Financial Assistance. Similar to the SAT data, the FBF scholarship data extends to 1998 which is valuable for the reasons already discussed. The FBF data includes the total number of Florida Academic Scholars (FAS) Award recipients at both institutions. The limitation to this data is that it does not denote which recipients were Black or Hispanic. If data on the number Black and Hispanic scholarship recipients were available, this study can more properly examine whether such aid has had any significance in affecting minority enrollment. The use of this variable can be problematic because the FBF scholarships are not equitably distributed across race and ethnicity as illustrated in the previous chapter. Thus, one cannot safely assume that if the total number of FBF scholarship recipients increases, the number of Black and Hispanic FBF scholarship recipients also increases. Nonetheless, the use of a scholarship variable in the statistical models is pertinent to the research question and these data were the best available.

Population data from the U.S. Census Bureau's American Fact Finder will be used to measure the change in Florida's minority population over the observed time period. Florida population estimates for Blacks and Hispanics from 1991 through 2010 will be used because the estimates include intercensal years. The population estimates for 2000 and 2010 will be used in place of the actual census numbers from these years in an effort to maintain consistency in the population measure. The limitation of these numbers is that only a small fraction of the overall Black and Hispanic population applies to university admission. A more suitable data would include the Black and Hispanic population in an age cohort that approximates the likely population segment that applies for university admission. However, the use of a population variable is important because a change in the state population affects the number of university applicants.

### Quantitative Methods

The enrollment rate over a twenty year period will be assessed. Prior studies used interrupted time series (Long, 2007) or logistic regression (Card & Krueger, 2005), but these researchers had access to substantive data sets from the Integrated Postsecondary Education Data System or state departments of education that were unavailable for this research study. Also, some of these studies, such as the Harvard Civil Rights Project (Horn & Flores, 2003; Marin & Lee, 2003), were well-funded in that the researchers traveled to the state institutions and interviewed university administrators directly or had personal communication with them. The strength of the enrollment rate in this study is that it expands over a twenty year period and the

effect of the One Florida Initiative and Talented Twenty Program can be assessed. The limitation is that the enrollment rate may not be the closest or most accurate indicator of the effect of race-conscious admissions because enrollment may be a consequence of other factors such as an individual's ability to pay for enrolling at a top institution.

A simple comparison of two time periods demonstrates the growth in minority enrollment at UF and FSU. From 1991 through 1999, race was a factor in admissions at both institutions. Race was not a factor in the admissions cycle for the 2000 – 2001 academic year per the One Florida Initiative (Marin & Lee, 2003). The Talented Twenty Program took effect for the admissions cycle of the 2001 – 2002 academic year (Horn & Flores, 2003; Marin & Lee, 2003). In short, this study examines a nine-year affirmative action era (1991 – 1999) and an eleven-year non-affirmative action era (2000 – 2010).

The following research questions are proffered: Has the use of race as a factor in undergraduate admissions affected the college enrollment of undergraduate Black and Hispanic students at the University of Florida and the Florida State University? Has the implementation of Florida's Talented Twenty Program affected the college enrollment of undergraduate Black and Hispanic students at the University of Florida and the Florida State University? Two sets of multiple models with corresponding hypotheses will be constructed in effort to fully assess the effect of affirmative action on undergraduate minority enrollment at Florida's flagship universities. A series of models will be tested using these statistics controlling for SAT scores, FBF scholarships awarded, and Florida's minority population.

### Primary Model Set

For the primary model set, the following hypothesis is articulated: In comparing the enrollment of undergraduate minority students, the affirmative action era (1991 – 1999) is expected to have a greater increase in undergraduate minority enrollment than the non-affirmative action era (2000 – 2010). A null hypothesis will counter this relation by showing that there has not been an appreciable change in undergraduate minority enrollment in Florida's flagship universities as a result of the policy change. The dependent variable for all of the models in the first set is the Black and Hispanic enrollment rates at UF and FSU. Within this set of models, the first model series will have one independent variable: the binary variable measuring the presence or absence of the affirmative action policy.

The second model series will use the same dependent variables as the first, but will add three control variables: SAT scores, FBF scholarships awarded, and Florida's minority population rate. All of the models in the primary model set test the effect of the policy change on Black and Hispanic enrollment rates at UF and FSU.

### FSU Model Set

For the FSU model set, the following hypothesis is offered: For FSU, the proportion of minority applicants, admits, and enrollees are expected to have a greater increase during the affirmative action era (1991 – 1999) than the non-affirmative action era (2000 – 2010). A null hypothesis will show that no relationship exists between the policy change variable and minority applicants, admits, and enrollees.

This first model series will have one independent variable: the policy change binary variable that measures the presence or absence of the affirmative action policy. The dependent variables are: the proportion of Black applicants, the proportion of Black admits, the proportion of Black enrollees, the proportion of Hispanic applicants, the proportion of Hispanic admits, the proportion of Hispanic enrollees, and the proportion of all students who applied, who were admitted, and who enrolled. The first series of models will test the effect of one independent variable, the policy change, on several dependent variables including: the minority student application rate, admission rate, and enrollment rate at FSU.

The second series of models will use the same dependent variables as the first FSU model series, but will add three control variables to the policy change binary variable. Correlation matrixes will be constructed to test for heteroskedasticity. This model series is perhaps the most complete of the statistical models constructed in this research because the data includes a time period that spans across the year 2000, which is the year of the observed policy change.

## CHAPTER 4: RESULTS

To test whether the change in Florida's university admissions policy was statistically significant, a series of different multiple regression models using scale-level variables were constructed. All of the variables were measured in proportions except for the affirmative action binary variable and the Florida Bright Futures scholarship variable. Correlation matrixes were constructed to test for multicollinearity between Florida's population and the number of Florida Bright Futures recipients. For the primary model set, the enrollment of undergraduate minority students was expected to decrease as a result of the affirmative action ban in 1999. For the supplemental FSU model set, a decrease in the minority application, admission, and enrollment rate was expected. A null hypothesis would show that there is no relationship between the undergraduate minority enrollment at UF and FSU and the policy change.

### Primary Model Set

The first series of the primary model set tested the effect of the binary variable on the enrollment of Black and Hispanic students at UF and FSU. All four models produced significant coefficients at the .01 level, but only the third model of the series had the expected outcome—a negative sign indicating a decrease in Black enrollment at FSU after the affirmative action ban. This result is consistent with the findings of Horn and Flores (2003) in the report by the Harvard Civil Rights Project, which also showed a decrease in the Black enrollment at FSU. The other three models had positive signs, indicating an increase in Black and Hispanic enrollment at UF and FSU when the binary variable takes a value of 1. This suggests that the non-affirmative

action years saw greater increases in minority enrollment than the affirmative action years. These findings are contrary to the expected outcomes and also conflict with the Horn and Flores (2003) report. Although three of the models had positive signs when negative signs were hypothesized, each of the four models indicated a significant relationship between affirmative action and minority enrollment. As suggested in the second chapter, there are other factors such as the targeted recruitment programs that can influence the minority enrollment at these institutions. Thus, the null hypothesis stating that there is no relationship between the policy change and the undergraduate diversity at UF and FSU can be rejected.

**Table 1: Regression Analysis of the Effect of the Affirmative Action Policy Change on the Undergraduate Minority Enrollment Rate at Florida’s Flagship Universities**

	Model 1	Model 2	Model 3	Model 4
Variable	UF Black	UF Hispanic	FSU Black	FSU Hispanic
	Enrollment Rate	Enrollment Rate	Enrollment Rate	Enrollment Rate
Affirmative Action	.033***	.036***	-.017***	.050***
	(.005)	(.008)	(.004)	(.009)
$R^2$	.689	.519	.517	.648

Notes: Standard errors are below the unstandardized coefficients in parenthesis. “\*\*\*”, “\*\*”, and “\*” indicate two-tailed significance at the 1%, 5%, and 10% levels, respectively.

The second series of the primary model set added three control variables to the binary variable to test the effect of the mean SAT scores in Florida, Florida Bright Futures scholarships awarded, and Florida’s minority population rate. The FSU Hispanic enrollment model indicated that the number of scholarship recipients at the institution positively affected the Hispanic enrollment, yet the enrollment of Hispanics decreased while Florida’s Hispanic population increased. The FSU Black enrollment model shows a negative coefficient for Florida’s Black

population, indicating that the enrollment of Blacks at FSU was decreasing while the Florida's Black population was increasing—this finding is consistent with the Horn and Flores (2003) report, however, the coefficient is not statistically significant. For three of the four models in this series, it is important to note that affirmative action did not have a significant effect on minority enrollment when control variables were added. After testing different combinations of variables, the control variables were found to be highly correlated, which explains why the relationship between affirmative action and enrollment lost statistical significance with the introduction of these controls. In this series of models, the null cannot be rejected due to the statistical insignificance of the affirmative action variable and the presence of multicollinearity as indicated by the variance inflation factors for the scholarship and population variables.

**Table 2: Regression Analysis of the Effect of the Affirmative Action Policy Change and Control Variables on the Undergraduate Minority Enrollment Rate at Florida’s Flagship Universities**

	Model 1	Model 2	Model 3	Model 4
Variable	UF Black Enrollment Rate	UF Hispanic Enrollment Rate	FSU Black Enrollment Rate	FSU Hispanic Enrollment Rate
Affirmative Action	.144** (.043)	-.005 (.011)	-.015 (.013)	.013 (.012)
Time (lag effect)	-.062** (.019)	.006 (.007)	.005 (.007)	.014 (.008)
Florida Mean SAT Score Black	.001* (.001)		-.001 (.000)	
Florida Mean Score SAT Hispanic		.000 (.000)		.000 (.000)
UF Florida Bright Futures	-1.728* (.000)	3.353 (.000)		
FSU Florida Bright Futures			7.471 (.000)	1.199** (.000)
Florida Population Estimate Black	52.985 (16.189)		-6.915 (5.322)	
Florida Population Estimate Hispanic		-.273 (1.250)		-1.878** (1.384)
R <sup>2</sup>	.882	.989	.926	.987

Notes: Standard errors are below the unstandardized coefficients in parenthesis. “\*\*\*”, “\*\*”, and “\*” indicate two-tailed significance at the 1%, 5%, and 10% levels, respectively.

#### FSU Model Set

The first series of the FSU model set tested the effect of affirmative action on the application, admission, and enrollment rate of Black and Hispanic students at FSU. Five of the six models indicated significant relationships. The FSU Black application rate increased as a result of the policy change, which is contrary to the hypothesized outcome but is consistent with the Horn and Flores (2003) report which also showed an increase in the Black application rate at FSU. The FSU Black admission rate decreased, which is consistent with the hypothesis and prior literature (Horn & Flores, 2003). The FSU Hispanic application, admission, and

enrollment rate increased without affirmative action, which is contrary to the hypothesis and differs from the prior literature (Horn & Flores, 2003). While only one of the six models indicated a decrease in admission as hypothesized, five of the six models indicated a significant relationship between affirmative action and the minority application, admission, and enrollment rate at FSU. Therefore, the null hypothesis can be rejected because there is a statistically significant relationship between the independent and dependent variables. A second series of models was tested to further evaluate this finding.

**Table 3: Regression Analysis of the Effect of the Affirmative Action Policy Change on the Minority Application, Admission, and Enrollment Rate at the Florida State University**

	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6
Variable	FSU Black Application Rate	FSU Hispanic Application Rate	FSU Black Admission Rate	FSU Hispanic Admission Rate	FSU Black Enrollment Rate	FSU Hispanic Enrollment Rate
Affirmative Action	.013* (.006)	.040*** (.009)	-.018** (.008)	.032*** (.008)	-.008 (.005)	.040*** (.009)
R <sup>2</sup>	.235	.558	.286	.530	.143	.613

Notes: Standard errors are below the unstandardized coefficients in parenthesis. “\*\*\*”, “\*\*”, and “\*” indicate two-tailed significance at the 1%, 5%, and 10% levels, respectively.

The second series of the FSU model set added three control variables to the affirmative action variable to test the effect of the mean SAT scores in Florida, Florida Bright Futures scholarships awarded, and Florida’s minority population rate. Only one of the six models produced a statistically significant coefficient. The FSU Black application rate model indicated that the Black application rate increased without affirmative action, which is contrary to the hypothesis of this research but is consistent with the Horn and Flores (2003) report that found an

increase in the Black application rate at FSU. This model also showed that the number of Florida Bright Futures recipients at FSU depressed the Black application rate.

**Table 4: Regression Analysis of the Effect of the Affirmative Action Policy Change and Control Variables on the Undergraduate Minority Application, Admission, and Enrollment Rate at the Florida State University**

Variable	Model 1 FSU Black Application Rate	Model 2 FSU Hispanic Application Rate	Model 3 FSU Black Admission Rate	Model 4 FSU Hispanic Admission Rate	Model 5 FSU Black Enrollment Rate	Model 6 FSU Hispanic Enrollment Rate
Affirmative Action	.028 (.016)	-.038 (.047)	-.002 (.013)	-.025 (.047)	-.006 (.019)	-.014 (.043)
Time (lag effect)	-.009 (.009)	-.023 (.033)	-.004 (.007)	-.018 (.033)	.003 (.011)	-.014 (.030)
Florida Mean SAT Score Black	6.984 (.001)		5.765 (.000)		.000 (.001)	
Florida Mean Score SAT Hispanic		.000 (.001)		.001 (.001)		.001 (.001)
FSU Florida Bright Futures	-1.256* (.000)	-7.670 (.000)	6.629 (.000)	-2.108 (.000)	5.307 (.000)	-7.645 (.000)
Florida Population Estimate Black	.025 (1.031)		-1.779 (5.388)		-5.379 (8.127)	
Florida Population Estimate Hispanic		5.117 (5.513)		3.807 (5.576)		3.169 (5.062)
R <sup>2</sup>	.834	.797	.968	.699	.816	.804

Notes: Standard errors are below the unstandardized coefficients in parenthesis. “\*\*\*”, “\*\*”, and “\*” indicate two-tailed significance at the 1%, 5%, and 10% levels, respectively.

This model is limited because the FBF recipient data is not disaggregated, that is, the FBF variable captures all recipients at the institution and does not account for race. This

particular model likely has measurement error. The third and fifth models indicate that the admission and enrollment of Blacks at FSU did not keep pace with the increase of Florida's Black population, yet these coefficients are not statistically significant. In separate regression analysis, not displayed in these tables, it was found that changes in Florida's minority population had an effect on the enrollment of minorities at UF and FSU.

### An Analysis of the Major Findings

The major finding of this research is that the minority enrollment at UF and FSU is significantly related to the change in policy from affirmative action to the Talented Twenty Program. Although Long (2007) claims that there is no clear evidence that the policy change affected the minority underrepresentation at UF and FSU, he notes that the universities were using other strategies while the policy changes were taking effect. This is an important fact that confounds the statistical analysis (Long, 2007). It may be the case that the minority enrollment levels at UF and FSU are attributable to the targeted recruitment and outreach programs at both institutions rather than the Talented Twenty Program. This is a possible explanation of what can be affecting the undergraduate minority enrollment. In order to quantify the number of students serviced by the recruitment programs, researchers may contact particular institutions to collect data to assess how these programs affect minority enrollment.

In conducting a statistical analysis to denote the effect of a change in policy, it is important to capture the effect of time. A time lag effect variable was included in the analyses along with the other control variables to note the gradual change in the dependent variables. The

rationale for including this indicator is that state policies may not have a full and immediate effect upon implementation. For instance, minority college applicants may not have known that the State of Florida transitioned from affirmative action to the Talented Twenty Program, thus, prospective students may not have changed their application sending behavior until a few years after the change in policy.

After testing the models with the time lag effect variable, the primary indicator lost statistical significance for every model in the second table except for the UF Black Enrollment model. In observing the UF Black enrollment data without conducting any statistical tests, the enrollment increases steadily in the years preceding the policy change and for two years after the intervention, decreases for two years, and continues to increase again. The models with control variables are limited because there are not enough years (data points) after the policy change to fully capture the lag effect of the change in policy. The FSU Hispanic Enrollment model lost statistical significance when controls were added, but the positive sign of the coefficient remained, unlike the UF Hispanic Enrollment model. Overall, these models can be improved by adding more data points before and after the policy change.

Qualitative analysis using case-studies or student interviews can contribute to the literature exploring the relationship between the recruitment programs and undergraduate minority enrollment. Although prior research did not find a strong relationship between the policy change and minority enrollment, it is clear from this research that, in the models without control variables, there is a statistically significant relationship between the policy change and the minority enrollment.

The second major finding is that, without the control variables, the minority application, admission, and enrollment rates at FSU are significantly related to the affirmative action policy change. It is important to note that the primary indicators lost statistical significance with the introduction of the time lag effect variable, which warrants further inquiry. Horn and Flores (2003) found moderate differences in these numbers from the year prior to the policy change and the year after. In response to the affirmative action ban in undergraduate admissions, FSU invested heavily in recruiting Black and Hispanic students (Marin & Lee, 2003). Similar to the finding mentioned above, quantification of the recruited students is important to fully understand how much of the current level of undergraduate diversity at FSU is attributable to the recruitment programs versus the Talented Twenty Program. The causal chain links together as follows: the change in the affirmative action policy caused the institution to implement more targeted recruitment programs, which in turn affected the minority enrollment at FSU.

The third major finding is that the minority enrollment at UF and FSU is related to the growth of Florida's minority population. This finding is intuitive because if there are increases in Florida's Black and Hispanic population, then increases in the enrollment of Black and Hispanic students can be expected. Marin and Lee (2003) hold that the proportion of minority students admitted should rise each year to keep pace with natural demographic changes. A simple measure of policy efficacy may be drawn from this finding: an effective diversity program aides the university in producing a student population that is reflective of the statewide demographics. This suggests that policies can be evaluated by comparing the change in the undergraduate demographics to that of the statewide population in effort to ensure the postsecondary educational access for underrepresented minorities. The Talented Twenty

Program, which replaced affirmative action, can be evaluated on how well it maintains undergraduate diversity. The findings presented here, along with the prior literature, suggest that the Talented Twenty Program does little to improve minority enrollment and may have a very modest impact on college admissions overall.

### The Talented Twenty Program: Revisited

As discussed in the second chapter, Governor Jeb Bush replaced affirmative action in higher education with the Talented Twenty Program. Based on the prior research, there are few students who utilize the Talented Twenty Program and most of these students were not from underrepresented groups. The net effect of the Talented Twenty Program is in question and the viability of the program as a replacement for affirmative action merits further scholarly inquiry.

Future research on the Talented Twenty Program may focus on how many students go through the Talented Twenty process each year, (M. Long, personal communication with M. Ubiles, October 17, 2011), that is, how many students keep track of the number of institutions they are denied admission and appeal to their guidance counselors. Perhaps high school students can be surveyed to note whether they are being made aware of the programs for which they qualify. The takeaway message is that the Talented Twenty Program does not improve minority enrollment at public institutions and the current diversity levels at the public universities are likely a result of population change and the recruitment and outreach programs.

### Minority Recruitment, Outreach, and Support at Florida's Flagships

In response to the affirmative action ban, the University of Florida and the Florida State University implemented several minority recruitment and outreach programs to offset the potential loss of undergraduate minority representation. Future research can focus on the extent to which these programs affect prospective students' perception of the universities as inclusive environments, how information is relayed throughout the state, and the efficacy of these programs in enrolling diverse undergraduates. Researchers may employ student surveys or case studies to better understand how the targeted recruitment programs affect the educational pipeline for underrepresented students.

### A Contribution to Political Science Research

The postsecondary educational pipeline is affected by institutional changes, which in turn are affected by changes in public policy. This study underscores the causal sequence from statewide public policy reform to individual institutional response. Also important is the fact that replacement policies (i.e. Talented Twenty) may be even less effective than the original policy. Substituting a simple, widely used and long-standing policy, such as the consideration of race in undergraduate admissions, often entails creating more bureaucratic processes and costs that would otherwise not exist. This research aims to highlight this very fact and moving forward, lawmakers may consider the consequences of eliminating programs that support postsecondary educational access.

The disparity in educational attainment across race and ethnicity is also a point of emphasis of this research. The statewide economic implications of unequal educational outcomes are significant and state governments can take positive measures to address this issue. Students who attend selective institutions are best prepared for workforce competition. These institutions typically admit students from privileged backgrounds with extensive support systems. This research intends to show that traditional admissions factors are reflective of socioeconomic status and can act as a barrier to gifted students of color. These structural limitations are becoming increasingly significant during a time of considerable population change.

This study also intends to bring attention to the fact that states with increasingly diverse populations such as California, Texas, and Florida, have made public policy changes involving affirmative action which have adversely affected the fortunes of the most vulnerable subgroups. Unlike the institutions in California, public universities in Florida are allowed by law to implement race-conscious recruitment, outreach, and support programs. Research strongly suggests that most of the undergraduate diversity in Florida is a consequence of these institutional efforts. If the responsibility for promoting access and diversity in higher education rests solely with individual higher education institutions, then the state government cannot be described as aiding the upward mobility prospects for minorities and the disadvantaged. This leads to a classic question in American politics: What is the role of government in the lives of citizens? The larger goal of this research is to demonstrate how the elimination of affirmative action has led to limited opportunities for minorities, who now account for the majority population in several states and will soon account for a much larger segment of the national

population. Although the statistical analyses conducted in this research are limited, it is significant that the University of Florida and the Florida State University made efforts to maintain diversity levels by implementing targeted recruitment programs. The flagship institutions did not consider the Talented Twenty Program to be a suitable replacement for affirmative action and the question then becomes: What would occur to the level of undergraduate diversity at Florida's flagship universities if these programs are limited in the future due to organizational restructuring or fiscal limitations?

## **CHAPTER 5: CONCLUSION**

This research demonstrates that the postsecondary educational pipeline is affected by changes in public policy. A key finding of this study is that the University of Florida and the Florida State University used targeted programming to diversify their respective student populations despite the implementation of the One Florida Plan. The cited research suggests that the Talented Twenty Program has been less effective than affirmative action in maintaining undergraduate diversity. The importance of undergraduate diversity becomes clear when one recognizes the disparity in educational attainment across race and ethnicity and the aggregate economic implications of unequal educational outcomes.

As discussed in the first chapter, the national average for adults with college degrees in 2009 was 29 percent for Whites, 17.2 percent for African Americans, and 12.6 percent for Hispanics (Chronicle of Higher Education, 2011). Over the last two decades, the national average for adults with college degrees has improved by 7.4 percent for Whites, 5.8 percent for African Americans, and 3.4 percent for Hispanics (Chronicle of Higher Education, 2011). The discrepancies in educational attainment by race have economic significance because higher levels of education are associated with greater employment opportunities (Graham & Paul, 2011). African Americans and Hispanics cannot attain higher levels of education if their postsecondary educational access is precluded by state policies.

Affirmative action has traditionally been discussed in a race relations or social justice frame. Although such arguments continue to have contemporary relevance, this research aims to discuss affirmative action in a socioeconomic and social mobility context. In order to understand

how the social reproduction theory applies to affirmative action, scholars must accept the linkage between postsecondary educational access, degree attainment, and career prospects. The literature reviewed in this research outlines the benefits of degree attainment, especially from a selective institution. In a constantly evolving economy where the jobs that require higher levels of education are among the fastest growing, access to higher education becomes a premium.

Similar to the extant literature, this study analyzed the effect of an affirmative action ban on the undergraduate minority enrollment at two public flagship universities. Florida was selected as the focus of this study because of its rapidly growing diverse population and for its promising economic future. The major finding of this research is that the minority enrollment at UF and FSU was significantly related to the change in policy from affirmative action to the Talented Twenty Program. The second major finding is that the minority application, admission, and enrollment rate at FSU was significantly related to the affirmative action policy change. The third major finding is that the minority enrollment at UF and FSU was related to the growth of Florida's minority population. The findings presented in this research are limited due to the data collection challenges of submitting data requests to public universities when the institutions were complying with a gubernatorial data request.

In assessing the findings, the primary indicators lost statistical significance with the introduction of control variables. The statistical models may be lacking key indicators, such as the number of students serviced by the recruitment programs, the number of students receiving need-based grants or scholarships, and the number of students admitted through the summer bridge programs. Obtaining these indicators can contribute to the construction of more robust

statistical models. Some other factors that may have importance when analyzing the causes for minority enrollment at top institutions include: the diversity of the faculty, the experiences of friends of prospective students who attended such institutions, and transfer student experiences. An incorporation of these variables in a future study can contribute to the literature. Although the statistical analysis of this study did not indicate a sweeping decline in undergraduate minority enrollment as a result of the policy change, this study identifies a plenteous area for future research.

The University of Florida and the Florida State University responded to the One Florida Plan by implementing numerous minority recruitment and outreach programs to offset the anticipated loss of undergraduate minority representation. This study and the prior literature strongly suggest that the current diversity levels at these public universities are most likely a result of the recruitment and outreach programs and population change. In the final analysis, the recruitment and outreach programs, along with the population changes, offset the potential negative effects of eliminating affirmative action. If much of the minority enrollment at these institutions is resultant of the recruitment and outreach programs, then what will become of the undergraduate diversity should these programs become limited in scope? In recent years, state university system institutions have experienced budget cuts and student services, which include recruitment programs, have lost funding support. If recruitment and outreach programs and need-based grants and scholarships are being defunded, and there is no affirmative action, then minorities and disadvantaged college applicants would be hard-pressed to gain admission to the top institutions in the state.

Future research can use qualitative analysis to better understand the extent to which these programs affect prospective students' perception of the universities as inclusive environments, how scholarship and program information is relayed throughout the state, and the efficacy of these recruitment programs in enrolling diverse undergraduates. Researchers can also examine the public awareness of the changes in state policy because underserved populations may not understand how the educational pipeline is affected by state law.

In Florida, the recent changes to the Florida Bright Futures scholarship has affected the educational pipeline for Florida's college bound high school students, especially those from underrepresented populations. This research attempted to capture the effect of scholarship changes but due to data collection limitations, the statistical analyses involving these indicators was inconclusive. Access to postsecondary education is affected by changes in grant or scholarship aid. Future researchers may use surveys to determine if students attended lower tiered institutions due to unmet financial need. The relationship between state policy and postsecondary educational access is evidentiary.

Across the nation, states with increasingly diverse populations such as California, Texas, and Florida, have made public policy changes through various legal means that have adversely affected the fortunes of the most at-risk subpopulations. For the purposes and scope of this study, Michigan was omitted from this research because of the recent legal developments such as the overturning of the Michigan Civil Rights Initiative and the subsequent appeal of this decision. In 2008, Colorado voters upheld affirmative action in a ballot initiative but in Nebraska, affirmative action was banned via the Nebraska Civil Rights Initiative. In 2010, the

Arizona Civil Rights Amendment eliminated affirmative action in another state with a diverse population. Scholars can analyze how these measures have affected the realities for minorities in higher education in those states and can track the continuous legal battles such as the case of *Fisher v. University of Texas*. Arizona and Texas are majority-minority states that have disparities in educational attainment across race and ethnicity but have circumscribed affirmative action, effectively limiting postsecondary access for most of their citizens. An affirmative action ban in Oklahoma is on the ballot for 2012 and another such measure in Utah is in the process of ballot approval. The legal challenges to affirmative action continue and the scholarly research can expand in this area to further examine the relationship between public policy changes and the educational attainment of underrepresented populations.

The broad objective of this research is to demonstrate how the elimination of affirmative action has lessened postsecondary educational access and social mobility for minorities, who presently account for the majority or near-majority population in several states and will soon account for a much larger segment of the national population. If government does not take the initiative to improve the postsecondary educational access and educational attainment of minorities, and these groups increase in number as expected, then there will be unmet workforce demands in the economy. If state governments and the Supreme Court motion to further delimit or eliminate affirmative action, then citizens must question whether government at every level is interested in aiding the social mobility of the privileged while subjecting ethnic minorities to a perpetual socioeconomic underclass status. The policies of affirmative action in higher education are designed to broaden postsecondary educational access to responsible and meritorious individuals who are striving to achieve the increasingly elusive American dream.

**APPENDIX A: AFFIRMATIVE ACTION PROGRAMS IN CALIFORNIA  
PRIOR TO PROPOSITION 209**

- Student Affirmative Action Programs – campus-operated programs to identify promising high school students from racial/ethnic groups that historically have been underrepresented in higher education and encourage them to enroll, or, in the case of young women underrepresented in some academic programs, to encourage them to enroll in those programs.
- Early Academic Outreach Programs – campus-operated programs to identify promising middle or junior high school students from historically underrepresented racial/ethnic groups and encourage them to aspire to college enrollment while providing advising and academic assistance toward this end.
- Educational Opportunity Programs – campus-operated programs to provide admissions and financial assistance and personal and academic support services to students from low-income backgrounds with the potential to fulfill the institution’s curricular requirements. Services are provided from admission through completion of the student’s academic program.
- California Student Opportunity and Access Programs – programs operated by consortiums of secondary and postsecondary education institutions to foster greater academic achievement and college attendance by high school students within various geographical areas of the state.
- California Academic Partnership Programs – programs operated by consortiums of secondary and postsecondary education institutions to strengthen the academic preparation of high school students and the skills of teachers in teaching the curriculum. Programs reside in schools with high concentrations of students from racial/ethnic groups historically underrepresented in higher education and schools with low-college-going rates among their graduates.
- Mathematics, Engineering, and Science Advancement Programs – programs operated throughout the state by consortiums of education institutions and private businesses to strengthen the math and science preparation of middle and high school students from racial/ethnic groups historically underrepresented in these fields and encourage them to pursue postsecondary academic majors in these areas.

Source: U.S. Commission on Civil Rights. (2002). *Beyond percentage plans: The challenge of equal opportunity in higher education*. Washington, D.C.: U.S. Department of Education.

## **APPENDIX B: TALENTED TWENTY PROGRAM REQUIREMENTS**

In order to qualify, the student must:

- Be enrolled in a Florida public high school and graduate with a standard diploma.
- Be ranked in the top 20% of the class after the posting of seventh semester grades.
- Submit test scores from the Scholastic Reasoning Test of the College Board or from the ACT of the American College Testing program prior to enrollment to a university in the State University System.
- Complete all eighteen core course requirements for state university admission.

Source: Florida Department of Education. (2012). *Talented Twenty Program Fact Sheet*. Retrieved January 23, 2012, from Florida Department of Education, Office of Student Financial Assistance website:  
[http://www.floridastudentfinancialaid.org/SSFAD/factsheets/Talented\\_Twenty.htm](http://www.floridastudentfinancialaid.org/SSFAD/factsheets/Talented_Twenty.htm)

**APPENDIX C: UNIVERSITY OF FLORIDA MINORITY RECRUITMENT  
PROGRAMS**

**UF Shadow Days** – a program that gives high school seniors the “Gator for a day” experience when they shadow current UF students to class and around campus.

**African-American Student Recruitment Conference** – a program for middle school and high school students (grades 7-11) and their parents offering presentations on admission requirements, student life, leadership development workshops, and other informative activities. Participants are nominated by their guidance counselors.

**Hispanic-Latino Student Recruitment Conference** – a program for middle school and high school students (grades 7-11) and their parents offering presentations on admission requirements, student life, leadership development workshops, and other informative activities. Participants are nominated by their guidance counselors.

**Destination Gainesville** – a program that invites students who have been admitted to UF to a reception designed to encourage them to enroll in UF’s incoming freshman class. Receptions are held in 8-12 cities around Florida and the southeastern United States.

**Hispanic-Latino Outstanding High School Scholars Program** – a two-day program designed to attract top-rising Hispanic seniors to UF. Participants are nominated by their guidance counselors, and participants and their parents are invited to campus.

**African-American Outstanding High School Scholars Program** – a two-day program designed to attract top-rising Hispanic seniors to UF. Participants are nominated by their guidance counselors, and participants and their parents are invited to campus.

Source: University of Florida. (2012). *Recruiting Programs*. Retrieved January 23, 2012, from University of Florida, Office of Admissions website:  
<http://www.admissions.ufl.edu/ugrad/outreach/expstudentrecr.html>

**APPENDIX D: UNIVERSITY OF FLORIDA MINORITY STUDENT  
SUPPORT SERVICES**

**University Minority Mentor Program (UMMP)** – a program that provides faculty and staff mentors to first year minority and first-generation college students. Mentors support, nurture, guide and advise students as they adjust to college life.

**Office for Academic Support and Institutional Services (OASIS)** – an office that coordinates the university's support services for first generation and/or underrepresented (including Hispanic, African American, Asian American and Native American) students and underrepresented faculty as part of the University of Florida's effort to enhance the awareness and appreciation of diversity among students, faculty and administrators at the university.

**Successful Transition through Enhanced Preparation for Undergraduate Programs (STEP-UP)** – a program designed to promote academic and personal success among minority freshman engineering students.

Source: University of Florida. (2012). *At UF You Can Expect A Supportive Network*. Retrieved January 23, 2012, from University of Florida, Office of Admissions website:  
<http://www.admissions.ufl.edu/ugrad/outreach/expsuppnet.html>

**APPENDIX E: UNIVERSITY OF FLORIDA MULTICULTURAL  
CENTERS AND INSTITUTES**

**The Institute of Hispanic/Latino Cultures (La Casita)** – serves as the central station for more than 50 Hispanic-Latino student organizations on campus. The Hispanic Student Association, with more than 1,000 members, actively advocates Hispanic participation in collegiate activities and programs, and is the largest minority organization at UF.

**The Institute of Black Culture** – presents programs that provide educational awareness and information on issues that relate to Black culture. The IBC provides educational, social and cultural programs to share the history and culture of those of African descent. The IBC houses more than 50 African-American student organizations and serves as a meeting place for African-American students.

**The National Pan-Hellenic Council** – serves all of UF's historically Black Greek fraternities and sororities.

**The Multicultural Greek Council** – serves as the governing body uniting the multicultural Greek organizations.

Source: University of Florida. (2012). *At UF, You Can Expect Cultural Enrichment*. Retrieved January 23, 2012, from University of Florida, Office of Admissions website:  
<http://www.admissions.ufl.edu/ugrad/outreach/expenrichment.html>

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