

PROP. 209/DECLINING MINORITY COLLEGE ADMISSIONS

Question: Are you concerned about declining enrollments of minority students in California postsecondary education?

Answer: These declines -- not just in California, but in Texas, as well -- are disturbing and completely unacceptable. Educational opportunity is the touchstone of the American dream, and these trends raise a serious concern that the doors of college education are being closed to minority students. In addition, diversity in education helps prepare all our students to be productive citizens in the 21st century, so these developments should concern every American.

Question: What is your administration doing to address this problem?

Answer:

- First, we will use federal law to the maximum extent we can to promote an integrated education environment in postsecondary education, not just in California, but elsewhere. In particular, we will continue to support appropriate affirmative action programs and oppose efforts like Proposition 209.
- Second, we are pressing state officials and educators to maintain and expand diversity, and offering assistance to them to do so. We have called on colleges and universities burdened by new legal restrictions to recruit aggressively in secondary schools with high percentages of minority students and to form educational partnerships with such schools. Many colleges in California are developing plans to this effect. We have also called on these university systems to review different kinds of admissions programs, such as Texas' decision to guarantee college admission to the top 10% of the graduating class in any high school in the state.
- Third, we have fought for resources to improve education and open doors to college. The budget agreement contained the biggest increase in education funding in a generation, including major increases in Pell Grant funds and college work-study, and the new Hope Scholarship and Lifelong Learning tax credit. The Administration is beginning a campaign to make sure that the parents of every middle school student, and students themselves, know that a college education is attainable if students stay in school, take tough classes, and study hard.

Question: Are you planning to petition the Supreme Court to review the Ninth Circuit's decision upholding Proposition 209?

Answer: I am awaiting advice on that question from my legal counsel and the Solicitor General, and I shouldn't address that question until I receive their advice. I can say that I will do everything I can to prevent other states or cities from passing ill-considered proposals like Proposition 209.

Final

~~1/1~~

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University of California Consideration of Dropping the SAT

Question: Today's Washington Post reports that a University of California task force has recommended that the SAT no longer be used as a requirement for undergraduate admission to schools in the UC system, due to projected declines in minority admissions. Governor Wilson has been harshly critical of this recommendation. Does the Administration support the suggestion to drop the SAT?

Answer: In light of the disturbing declines in minority enrollment that have occurred under current UC policies, I am very encouraged that the University of California is looking at different approaches to make a merit-based admission system work. Sitting here today, I don't know enough about the University of California admissions system to evaluate how the university should use any particular test. But I strongly believe that the University of California should explore a range of ways to curb declines in minority enrollment and preserve an integrated education environment.

September 20, 1997

TIME OF TRANSMISSION:

TIME OF RECEIPT:

WHITE HOUSE SITUATION ROOM

PRECEDENCE: X

IMMEDIATE
PRIORITY
ROUTINE

RELEASER: _____
DTG: _____

MESSAGE NO: _____ CLASSIFICATION: _____ PAGES: 2
(Including Cover)
FROM: Bill Kincaid 6-2857 220
(NAME) (PHONE NUMBER) (ROOM NO.)

MESSAGE DESCRIPTION: Suggested Q & A on VC/SAT

TO (AGENCY)	DELIVER TO	DEPT/ROOM NO.	PHONE NUMBER
<u>COS</u>	<u>Sylvia Matthews</u>	<u>Via Road Runner</u>	
<u>Press</u>	<u>Joe Lockhart</u>	<u>"</u>	
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REMARKS:

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~~a wide range of merit-based examination of alternative admissions programs.~~

~~But we have not done sufficient research about admissions at the UC to know that would whether elimination of the SAT as a factor in the admissions process is necessary or appropriate~~

complete process

kind of

don't have the information

PHOTOCOPY
MISC. HANDWRITING

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September 18, 1997

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over
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PHOTOCOPY
MISC. HANDWRITING

Q Mr. President, your scholarship proposal notwithstanding, there is still an assault on affirmative action in this country. In my home state of California in the wake of Proposition 209 and last year's vote by the University of California Board of Regents, minority applications and enrollment in the UC system this year are down. There will be not one new black student enrolled at the prestigious Bolt Hall School of Law at the University of California this fall. What specific programs, scholarship program notwithstanding, do you propose to stem this tide and make sure that there is diversity in higher education in this country? (Applause.)

THE PRESIDENT: First of all, I think we need to make sure that we continue to use federal law to the maximum extent we can to promote an integrated educational environment -- (applause) -- so that we have to review, whether in the Education Department, in the Justice Department, whether there are any further actions we can take legally to promote an integrated educational environment in higher education in the states where these actions have been taken.

Secondly, I think we need to look at whether there is some way by indirection to achieve the same result. I know that the legislature in Texas, in an attempt to overcome the impact of the Hopwood decision in Texas, just passed what they call the "Ten Percent Solution," which would be to guarantee admissions to any Texas public institution of higher education to the top 10 percent of the graduating class of any high school in Texas. And because of the way the African Americans and Hispanics living patterns are in Texas, that may solve the problem. Whether that would work in California, I don't know. I haven't studied the way the school districts are organized enough. But I think we have to come up with some new and fairly innovative ways to do that.

Thirdly, I think, on the professional schools, my own view -- I'm a little stumped here. We have to really -- we're going to have to reexamine what we can do. I don't know why the people who promoted this in California think it's a good thing to have a segregated set of professional schools. It would seem to me that, since these professionals are going to be operating in the most ethnically-diverse state in the country, they would want them to be educated in an environment like they're going to operate. I don't understand that. (Applause.)

But there may be some ways to get around it, and we're looking at it and working on it. But I think it's going to be easier to stop it from happening at the undergraduate level than at the professional school level. And we're going to have to really think about whether there is some way around it, whether it would be some sort of economic designation or something else. But we're working on that.

And finally, let me say, I think we need to continue to provide more resources, because one of the real problems we have is, even in the last five years, when we've had economic recovery, the college enrollment rates of minorities in America have not gone up in an appropriate way. And in this budget that I'm trying to get passed through Congress, we've got the biggest increase in education funding in 32 years, the biggest increase in Pell Grant scholarships in 20 years, another huge increase in work-study funds, and the tax proposal, as we structured them, would, in effect, guarantee two years of college to virtually everyone in America and help people with two more years of college.

We've got a huge dropout problem in higher education among minorities that I think is having an impact on then what happens in the graduate schools and in the professional schools. I don't think there is a simple answer. And I think, frankly, the way 209 is worded, it's a bigger problem even than the Hopwood case in Texas. But I can tell you we're working on it: first, is there anything the Justice Department or the Civil Rights Office of the Education Department can do? We're examining that. Second, is there a specific solution like the Texas "Ten Percent Solution" that would overcome it at least in a specific state. Third, come up with some more funds and some more specific scholarship programs to try to overcome it.

It's a great concern to me, and I think it is moving the country in exactly the wrong direction. And I might say, if you look at the performance of affirmative action students, it doesn't justify the action that was taken. That's another point that ought to be made.

So the one thing that I believe is, I believe that the rather shocking consequences in the professional schools in both Texas and California will have a deterrent impact on other

actions like that in other states. And I believe you will see more efforts now to avoid this. I think a lot of people who even voted for 209 have been pretty shocked at what happened and I don't believe the people of California wanted that to occur. And I think the rhetoric sounded better than the reality to a lot of voters.

So I can tell you that, while I'm very concerned about it, I think if we all work on it, we can reverse it in a matter of a couple of years. And we just have to hope we don't lose too many people who would otherwise have had good opportunities because of it. But it is an urgent matter of concern to me. (Applause.)

Civil Rights Investigations of Higher Education in California and Texas

The Office for Civil Rights (OCR) at the Department of Education is continuing its investigation of the current admissions policies at the three University of California law schools. Preliminary analysis indicates a significant disparity in the admission rate for certain minority group students compared to whites. The investigation is now in an information-gathering phase, which is likely to extend through the end of the year. The California investigation has recently been attacked by Senators Hatch and McConnell, who wrote Secretary Riley July 31 to denounce the inquiry as an affront to the voters of California and a bureaucratic attempt to preserve affirmative action. The two senators have called for OCR to abandon the inquiry immediately, and have threatened hearings and an amendment to prohibit the use of Department funds to investigate race-neutral policies. OCR responds that it is obliged to investigate a legitimate complaint, and notes that the investigation concerns current admissions policies, rather than the widely-reported decline in minority admissions following the discontinuation of UC's affirmative action program.

An OCR-initiated investigation of the Texas higher education system, part of a series of state higher education desegregation reviews, continues as well. The review will determine, consistent with the Supreme Court's Fordice decision, whether vestiges of past discrimination remain in the Texas system. The Fordice review has been combined with an investigation of a complaint filed with OCR last fall, asserting that Texas continues to operate a dual system of higher education and challenging the state's implementation of the Hopwood decision. As with California, information-gathering for this investigation is likely to extend through the end of the year.

Final
7/21/97

Declining Minority College Admissions and Enrollments
July 21, 1997

- The declining enrollment of minority students in Texas and California universities, as a result of Hopwood and Proposition 209, is deeply disturbing. Educational opportunity is the touchstone of the American dream, and these declines raise a serious concern that the doors of college education are being closed to minority students. In addition, diversity in education helps prepare all our students to be productive citizens in the 21st century, so these developments should concern every American.
- We are working on several fronts to address this issue, and we continue to explore further actions and responses.

Support for Affirmative Action and Enforcement of Civil Rights Law

We will continue to intervene in litigation in support of appropriate affirmative action programs. The Department of Education is looking for a good opportunity to challenge the Hopwood decision, and the Department of Justice has filed a brief challenging California's Proposition 209.

The Office for Civil Rights (OCR) of the Department of Education has just begun investigating whether the current admissions policies at three University of California law schools violate federal civil rights law by discriminating against minority students. And OCR is also conducting a review of the Texas higher education system to determine whether it is in full conformance with antidiscrimination law.

Support for Creative, Race-Neutral Means to Achieve Diversity

Secretary Riley, Education General Counsel (and now Executive Director for the President's Race Initiative) Judy Winston, OCR Director Norma Cantu, and others in the Administration have been pressing higher education officials in California and Texas to develop new and creative approaches to achieving diversity, such as revising admissions policies, aggressively recruiting in secondary schools with high percentages of minority students, and forming educational partnerships with such schools.

We strongly encourage those who share our concerns to get involved in state and local efforts in California and Texas to find effective alternative routes to achieve diversity in higher education -- for example, to weigh in on the recent draft report of the University of California's Outreach Task Force, and to monitor the implementation of Texas' new law that guarantees state university admission to the top students in every high school's graduating class.

Support for Efforts to Improve K-12 Education in Disadvantaged Communities and to Open the Doors Wide to College

The Administration has been working hard to help students in disadvantaged communities prepare for college -- for example, through our new initiative to recruit and prepare high quality teachers for poor urban and rural areas, through greater access to technology, and through Goals 2000 and increased Title I funds for extra help in skills for disadvantaged students.

The President's proposed budget would open the doors to college through the largest increase in Pell Grants in 25 years, a large increase in work-study funding, and our tax proposal to make the 13th and 14th years of college virtually universal and help people pay for two additional years of college.

JUL 21 1997 12:17PM

OFFICE OF SECRETARY

NO. 2290 P. 2/1

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UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

NOTE TO: MICHAEL MCCURRY
WHITE HOUSE PRESS SECRETARY

FROM: LESLIE T. THORNTON
CHIEF OF STAFF

SUBJECT: MINORITY ENROLLMENT ISSUES IN CALIFORNIA

Bill -
1) Could you hint at
what's happened on
July 18, 1997 The teaching plan
mentioned on p. 2?

2) Also, you could
send me new copies
of The attachments?

Thanks
LTC

As I discussed with you briefly after the President's speech to the Black Journalists Convention in Chicago, I have provided some general background on the issue of minority admissions and enrollment declines in California. It is divided into information regarding: (1) the UC Outreach Task Force; (2) recent complaint filed by civil rights groups with the Department of Education's Office for Civil Rights; and (3) proposals for response.

UC TASK FORCE ON ADMISSIONS

- In July 1995, the University of California Board of Regents established what they call the "University of California Outreach Task Force" to identify ways in which outreach "could be employed to help the University be accessible to students of diverse backgrounds." This Task Force was developed in response to the Regents' decision to exclude race as a factor of consideration in admissions at California's public colleges and universities. Note that it is the Regents' decision that is currently in effect and affecting minority enrollment in California -- Prop. 209 is stalled in the courts.
- According to the report's executive summary, the Task Force began its deliberations in February 1996 and reviewed the University's current outreach goals, strategies, programs, and activities. The Task Force also collected statewide and national data on student achievement and the affects of outreach programs aimed at college readiness. The data revealed that a significant obstacle to expanding minority enrollment in higher education is "educational disadvantage."
- On May 16, 1997, the UC Task Force released a draft report for public comment. The report argues the university must focus on educational disadvantages -- not low income -- and that poor-performing schools are a better indicator than income of who needs help. The panel's recommendations include: (1) forming "school-centered partnerships" among each UC campus and public schools chosen for their poor academic performance, to establish standards and improve student achievement; (2) expanding academic outreach programs for K-12 students; and (3)

creating an "information outreach" program to help students and their families prepare for college. The state and university allocated \$3.5 million for the 1997-98 school year to implement the plan but educators say it will cost tens of millions of dollars more to be successful. The plan has been in a public comment period and each UC chancellor is required to submit a detailed plan by January 1, 1998.

- In a June 24, 1997, *Sacramento Bee* editorial called "Beyond the numbers: UC Admissions to consider human qualities, too", the paper set out how UC's nine campuses are actively looking for other ways to compose student bodies that reflect the state's growing diversity. According to the article, each of UC's nine campuses will "experiment" with different admissions policies in an effort to achieve diversity. Each will examine a variety of personal circumstances and accomplishments in addition to grades and scores. For example, UC-Davis will offer 60 percent of the 3,700 places in its 1998 freshman class to applicants with the highest grades and tests scores. But in filling the remaining 40 percent, the admissions office will give weight to other factors including extracurricular leadership experience; attendance at a high school that is economically disadvantaged and has a historically low level of UC attendance; residence in the three counties closest to the university; military service; and marked academic improvement in the 11th grade. Still, the new policy calls for consideration only of students who meet UC minimum eligibility requirements; a combined 1,000 on the SAT and a high school grade-point average of 2.82 in designated college preparatory courses. UCLA will give an advantage to applicants from disadvantaged urban and rural neighborhoods. UC Irvine will look at an applicant's entire profile, not just grades and scores, including personal essays and extracurricular activities. UC San Diego will look at "special circumstances and personal challenges" which could include whether an applicant is trying to become the first in his or her family to attend college. Editorial argues these policies may make the admissions process more complicated but weighing human factors may be a better way of measuring than just tests and scores.
- A July 9, 1997 *Education Daily* article called "To Raise Minority Admissions, Task Force Looks To Teachers" reviews UC's look at teachers – particularly interesting given the President's announcement on Title V. The article says that UC Task Force's \$60 million dollar plan to increase minority enrollment at UC would make training and retaining teachers in disadvantaged schools a priority. The Task Force estimates the total cost of professional development at \$18.5 million annually or about \$370,000 at each of 450 schools – the disadvantaged high schools, plus 400 "feeder" elementary and middle schools. UCS Board of Regents was to vote last week on the proposal. The report says the need for new teachers in disadvantaged schools is "especially acute" because of high turnover rates.

CALIFORNIA CIVIL RIGHTS COMPLAINT

(OCR's Talking Points on Graduate Admissions Complaint Against the University of California)

- On March 19, 1997 a broad coalition of private civil rights organizations filed a complaint against the University of California System alleging discrimination in admissions to graduate and professional schools in violation of Title VI of the Civil Rights Act of 1964 (race and ethnicity) and Title IX of the Education Amendments of 1972 (sex). OCR regulations require the investigation of complaints that raise discrimination issues under Title VI or Title IX.
- OCR has evaluated admit data from the three UC law schools. This preliminary statistical data shows that under the admissions policies currently in use, there is a significant disparity in the admission rate for Hispanic/Latino, African American, American Indian and Asian candidates at Boalt Hall and UCLA and for Hispanic/Latino, African American and American Indian candidates at Davis when compared to whites. There is no similar disparity at these three law schools for women.
- Much of the press coverage this year has focused on the drop in the number of minority candidates admitted since affirmative action has been discontinued. Technically, OCR is not investigating the decline in the number of minority students offered admission absent affirmative action. The UC system is not required under Title VI to have an affirmative action program. What OCR is investigating is whether the current admissions policies have a discriminatory impact on certain minority group students.
- However, the difference in admit rates does provide a basis upon which to initiate an investigation of whether the admissions policies and procedures currently in use at Berkeley, Davis and UCLA Law Schools violate Title VI and its implementing regulations.
- As admissions data for the 1997-98 school year become available for other graduate and professional schools, OCR may identify additional graduate and professional schools for investigation.
- OCR is not investigating the academic objectives of any graduate level admissions program or the content of standardized tests, such as the LSAT.
- The complaint does not directly challenge the adoption of SP-1 under Title VI and Title IX; however, it does challenge the admissions practices that were put into

place in response to the resolution. (SP-1 was approved by the Board of Regents in July 1995 and states that race, ethnicity or gender shall not be used as criteria for admission to the university. The admissions policies for UC graduate and professional schools were modified by SP-1 as of January 1, 1997, affecting admissions for fall 1997.)

PROPOSED ANSWER FOR POTUS

As you know, in some ways it is no matter to many people that the President's Racial Reconciliation Initiative was launched just last month – many are already critical that there are no concrete ideas/plans yet. However unfair the criticism is, it might be helpful for the President to talk about some concrete things where he can and invite the public to participate in the effort – this is an effort that will take all of us working on.

When the President is asked or talks about what is happening in California, he could mention some of the things the UC system itself is doing (see reference to 6/24/97 *Sacramento Bee* and 7/9/97 *Education Daily* articles) and invite people to engage in the process by participating in the public comment period. I believe this can be done through the Internet as well as in writing but that should be checked as well as the end date of the public comment period. I believe it may have been expanded from the original June 6 deadline but if not, there are other deadlines the Task Force is working under which appear to accommodate public participation.

We should all be careful how we talk about the OCR complaint filed by civil rights groups as it is an ongoing investigation. My view is that however it is determined, it must stand on its own and not be subject to charges that it has been politically influenced. On the other hand, however it comes out, now that it has been filed, the complaint has afforded the Department an opportunity to look at these issues at a depth level beyond such a look from purely a policy perspective. To that extent, some of the information in OCR's talking points might also be useful to convey.

Race-minority enrollment

1) Please copy for Elena.

6/28/97

2) Elena:
Do you know about this program? Is there anything there? Smart

Nat Hentoff

The Isolation of Black Schoolchildren

In Brooklyn's Junior High School 57, "fewer than one percent of the students are white," the New York Times reports, "and more than 87 percent are eligible for free lunches." In the eighth grade, only 11.7 percent of the youngsters are reading at grade level.

These kids and many more like them—black and Hispanic—in segregated public schools around the country were missing in the president's "landmark" speech on race relations at the San Diego campus of the University of California.

The president wants us to be "one America" in the 21st century, but he explains, "money can't do it. It can only come from the human spirit." Hugh Price, president of the National Urban League, knows better: "It will take money . . . to provide the resources and quality of schooling required for youngsters to succeed." Especially isolated youngsters.

Unless attention is paid to the students at Junior High School 57 in Brooklyn, the 21st century will be the same for most of them as their bleak present.

The president ignored the crucial fact that the division of the races is profoundly affected by experiences in the most formative ghetto in our society—the public school. And these increasingly segregated schools continue to be

inferior in resources of all kinds, including, with exceptions, the teaching staff.

This continuing discrimination—not by law but by indifference—is not only racial but is a matter of class.

Yet Clinton, in speaking of education in San Diego, focused only on colleges as he ritualistically preached the necessity of affirmative action. The students at Junior High School 57—where attend-

ance is less than half in some classes—may not get any closer to a college than a job as a security guard. Yet the president passionately said in his talk that "we must give our children the finest education in the world."

Which children? Or, more to the point, which class of children?

Much to the president's chagrin, affirmative action in colleges is in trouble not only because of Proposition 209 in California—which the Supreme Court is likely to affirm—but in courts elsewhere. So, what will happen if race and gender preference—as a factor in college admissions—can no longer continue, however it is "mended?"

At San Diego, Clinton said he was willing to listen to any alternative to affirmative action.

("I would embrace it if I can find a better way.") Apparently his advisers had neglected to tell him what's going on around the country in class-based alternatives to race-and-gender-based affirmative action.

The very university of California system, for instance, has created a partnership between the state's 50 low-performing high schools that will

SWEET LAND OF LIBERTY

help students achieve better test scores and grades and thereby qualify for university admissions on academic merit. Many of the high schools involved in these college preparatory programs have predominantly black or Hispanic students. But there are also whites and others who have potential that needs to be nurtured.

Other colleges and universities—aware of the dubious future of affirmative action as currently practiced—are engaged in similar outreach programs.

The University of California alternative—a mention of which would have given some substance to the president's superficial speech—is eventually going to include training of elementary and middle-school teachers in those isolated lower schools.

Already underway in the Martin Luther King

Jr. Middle High School in San Francisco—as reported by Rene Sanchez in The Post—is a University of California engineering and science achievement program for students. The school is in a very poor neighborhood, and the principal, James Taylor, points out that for those youngsters to be qualified for college, "we have to start very, very early."

The students in these various programs—from elementary school on—will legitimately achieve self-esteem, to use a modish term. Most important, they will learn that they can learn. The most harmful effect of many ghetto schools is that many kids there learn that they are dumb—and they are not.

Moreover, college admissions directors will no longer have to play a color-coded game in deciding who gets in and who doesn't.

In his speech, Clinton pointed to the presence of White House aide Thurgood Marshall Jr. Clinton did not mention Thurgood Marshall Sr.'s insistent focus on undoing the racial isolation in the public schools. Nor did he address the criticism of Rep. Charles Rangel (D-N.Y.) who has said: "If Clinton wants a legacy of race relations, he should invest in public schools."

To the students at Brooklyn's Junior High 57, the president was far more distant than San Diego.

The Washington Post

SATURDAY, JUNE 28, 1997

Bill - Could you find out about this too?
Thanks.
Elena

Q Mr. President, your scholarship proposal notwithstanding, there is still an assault on affirmative action in this country. In my home state of California in the wake of Proposition 209 and last year's vote by the University of California Board of Regents, minority applications and enrollment in the UC system this year are down. There will be not one new black student enrolled at the prestigious Bolt Hall School of Law at the University of California this fall. What specific programs, scholarship program notwithstanding, do you propose to stem this tide and make sure that there is diversity in higher education in this country? (Applause.)

THE PRESIDENT: First of all, I think we need to make sure that we continue to use federal law to the maximum extent we can to promote an integrated educational environment -- (applause) -- so that we have to review, whether in the Education Department, in the Justice Department, whether there are any further actions we can take legally to promote an integrated educational environment in higher education in the states where these actions have been taken.

Secondly, I think we need to look at whether there is some way by indirection to achieve the same result. I know that the legislature in Texas, in an attempt to overcome the impact of the Hopwood decision in Texas, just passed what they call the "Ten Percent Solution," which would be to guarantee admissions to any Texas public institution of higher education to the top 10 percent of the graduating class of any high school in Texas. And because of the way the African Americans and Hispanics living patterns are in Texas, that may solve the problem. Whether that would work in California, I don't know. I haven't studied the way the school districts are organized enough. But I think we have to come up with some new and fairly innovative ways to do that.

Thirdly, I think, on the professional schools, my own view -- I'm a little stumped here. We have to really -- we're going to have to reexamine what we can do. I don't know why the people who promoted this in California think it's a good thing to have a segregated set of professional schools. It would seem to me that, since these professionals are going to be operating in the most ethnically-diverse state in the country, they would want them to be educated in an environment like they're going to operate. I don't understand that. (Applause.)

But there may be some ways to get around it, and we're looking at it and working on it. But I think it's going to be easier to stop it from happening at the undergraduate level than at the professional school level. And we're going to have to really think about whether there is some way around it, whether it would be some sort of economic designation or something else. But we're working on that.

And finally, let me say, I think we need to continue to provide more resources, because one of the real problems we have is, even in the last five years, when we've had economic recovery, the college enrollment rates of minorities in America have not gone up in an appropriate way. And in this budget that I'm trying to get passed through Congress, we've got the biggest increase in education funding in 32 years, the biggest increase in Pell Grant scholarships in 20 years, another huge increase in work-study funds, and the tax proposal, as we structured them, would, in effect, guarantee two years of college to virtually everyone in America and help people with two more years of college.

We've got a huge dropout problem in higher education among minorities that I think is having an impact on then what happens in the graduate schools and in the professional schools. I don't think there is a simple answer. And I think, frankly, the way 209 is worded, it's a bigger problem even than the Hopwood case in Texas. But I can tell you we're working on it: first, is there anything the Justice Department or the Civil Rights Office of the Education Department can do? We're examining that. Second, is there a specific solution like the Texas "Ten Percent Solution" that would overcome it at least in a specific state. Third, come up with some more funds and some more specific scholarship programs to try to overcome it.

It's a great concern to me, and I think it is moving the country in exactly the wrong direction. And I might say, if you look at the performance of affirmative action students, it doesn't justify the action that was taken. That's another point that ought to be made.

So the one thing that I believe is, I believe that the rather shocking consequences in the professional schools in both Texas and California will have a deterrent impact on other

actions like that in other states. And I believe you will see more efforts now to avoid this. I think a lot of people who even voted for 209 have been pretty shocked at what happened and I don't believe the people of California wanted that to occur. And I think the rhetoric sounded better than the reality to a lot of voters.

So I can tell you that, while I'm very concerned about it, I think if we all work on it, we can reverse it in a matter of a couple of years. And we just have to hope we don't lose too many people who would otherwise have had good opportunities because of it. But it is an urgent matter of concern to me. (Applause.)

Declining Minority College Admissions and Enrollments (DRAFT --July 21, 1997)

Question: Are you concerned about reports of declining enrollments of minority students in postsecondary education, such as in California and Texas?

Answer: These trends are disturbing and completely unacceptable. Educational opportunity is the touchstone of the American dream, and these declines raise a serious concern that the doors of college education are being closed to minority students. In addition, diversity in education helps prepare all our students to be productive citizens in the 21st century, so these developments should concern every American.

Question: What is your administration doing to address this problem?

Answer: We are working on several fronts to address this issue:

Support for Affirmative Action and Enforcement of Federal Civil Rights Law

- We will continue to intervene in litigation in support of appropriate affirmative action programs. The Department of Education is looking for a good opportunity to challenge the Hopwood decision, and the Department of Justice has filed a brief challenging California's Proposition 209.
- In response to a complaint, the Office for Civil Rights (OCR) has indicated that it will investigate the current admissions policies at the three University of California law schools to determine if they violate federal civil rights law by discriminating against minority students.
- OCR is also conducting a review of the Texas higher education system to ensure that Texas has eliminated all remnants of its former de jure segregated system.

Support for Creative, Race-Neutral Means to Achieve Diversity in Higher Education

- Secretary Riley, Education General Counsel (and now Executive Director for the President's Race Panel) Judy Winston, OCR Director Norma Cantu, and others in the Administration have been pressing higher education officials to maintain and expand diversity, and offering assistance to them to do so. For example, we have called on colleges and universities burdened by new legal restrictions to develop new and creative approaches to achieving diversity, such as aggressively recruiting in secondary schools with high percentages of minority students and forming educational partnerships with such schools.
- We strongly encourage those who share our concerns about these trends to

help us make the case for affirmative action and at the same time get involved in state and local efforts in California and Texas to find effective alternative routes to achieve diversity in higher education -- for example, to review and weigh in on the recent draft report of the University of California's Outreach Task Force, and to follow closely the implementation of Texas' new law that guarantees state university admission to the students in the top percentage of every high school's graduating class.

Support for Efforts to Improve K-12 Education in Disadvantaged Communities and to Open the Doors Wide to College

- Through the new, \$350 million initiative to recruit and prepare high quality teachers for poor urban and rural areas that the President announced last week, through greater access to technology such as the E-rate, and through other initiatives such as Goals 2000 and increased Title I funds for extra help in basic and advanced skills for disadvantaged students, this Administration has been working hard to raise K-12 achievement for all students and help them prepare for college and high wage jobs.
- The President's proposed budget would open the doors to college through the largest increase in Pell Grants in 25 years, a large increase in work-study funding, and our tax proposal to make the 13th and 14th years of college virtually universal and help people pay for two additional years of college.