



AMERICAN ASSOCIATION FOR ACCESS, EQUITY AND DIVERSITY

July 13, 2016

Scott Jaschik, Editor
Inside Higher Ed
1015 18th Street NW, Suite 1100
Washington, DC 20036

Dear Scott:

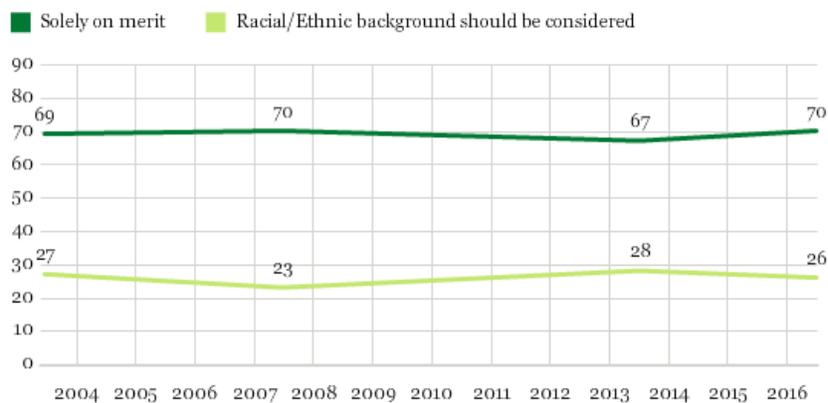
Regarding your July 8, 2016 article "Poll: Public Opposes Affirmative Action:"

Thank you for your work providing the results of opinion polls related to higher education. *Inside Higher Ed* is generally quite fair on matters involving racial justice and diversity in higher education. We must, however, take issue with the Opinion Poll conducted with the Gallup Organization that was reported on July 8, 2016. At issue is the way the questions were presented, which yielded the predictable results.

The primary question posed is: "Which comes closer to your view about evaluating students for admission into a college or university – applicants should be admitted solely on the basis of merit, even if that results in few minority students being admitted....?"

Americans' Views on Race-Based Affirmative Action in College Admissions

Which comes closer to your view about evaluating students for admission into a college or university -- applicants should be admitted solely on the basis of merit, even if that results in few minority students being admitted (or) an applicant's racial and ethnic background should be considered to help promote diversity on college campuses, even if that means admitting some minority students who otherwise would not be admitted?



GALLUP

<http://www.gallup.com/poll/193508/oppose-colleges-considering-race-admissions.aspx>

The decision is never race vs. merit. Selective colleges and universities have for decades considered a number of factors including test scores and grades. Geography, athletics, musical ability and other talents, socio-economic status, legacies, being first generation college-going, or extra-curricular activities are examples of these factors. It would be vastly preferable if IHE and other members of the news media would portray the panoply of admissions factors that are routinely used and not set up this duality that forces respondents to choose. Selective colleges and universities can undoubtedly fill their student bodies with students having perfect scores and grades. They choose not to because they want a diversity of abilities, potential and talent to enrich the educational experience.

Moreover, “race” as a factor reflects experiences as members of minority groups, like, e.g., being profiled by police or subjected to sub-standard schools. Overcoming these obstacles are valid considerations and should not be glossed over in polls. Lastly, this poll implies that standardized tests reflect merit when it has been long established that they are racially biased and not necessarily predictive of success in college.

The poll question described the *Fisher v. University of Texas at Austin* decision as “a case that confirms that colleges can consider the race or ethnicity of students when making decisions on who (sic) to admit to the college.” While the Court in *Fisher* did permit the use of race as one of several factors used to decide whom to admit, the question as presented suggests that race was a sole or primary factor. The Supreme Court has been scrupulous in ruling that race should not be used as a quota or part of a point system and that a review of students must be done in a holistic manner. This nuanced assessment in college admissions, set forth by the Court in 2003, is totally absent in the poll question.

Following the cases that went on before *Fisher v. University of Texas at Austin: Bakke v. Regents of the University of California* and *Grutter v. Bollinger*, the Supreme Court in *Fisher* emphasized that student body diversity is a compelling interest under the Constitution. In the *Fisher* case, race, however, was a “factor of a factor of a factor,” according to Justice Kennedy. Moreover, consideration of race is contextual and does not operate as a mechanical “plus” factor. Further, the vast majority of students in Texas were admitted through the Ten Percent Plan, which accepted students in the state who had graduated in the top ten percent of their graduating classes.

In polls preceding the IHE-Gallup Poll, the results indicated that the majority of Americans actually support affirmative action. For example, the 2014 Pew Research Center Poll asked: “In general, do you think affirmative action programs designed to increase the number of black and minority students on college campuses are a good thing or a bad thing?” The results showed that 63% of respondents found that affirmative action was a “good thing.” <http://www.people-press.org/files/legacy-questionnaires/4-22-14%20Affirmative%20Action%20Topline.pdf>

Similarly, a 2013 CBS News/ New York Times Poll found that: “In general, 53 percent of Americans support affirmative action programs in hiring, promoting and college admissions, while 38 percent oppose such programs.” The 2013 Gallup Poll yielded results similar to those reported by IHE this year on the matter of taking race into account for college admissions. However, when asked about affirmative action generally, the results differed: “Americans Support Affirmative Action in General”

Even though Americans largely reject the idea of using race as a factor in college admissions, they still support affirmative action programs more generally. A separate question in the poll finds 58% of Americans saying they favor “affirmative action programs for racial minorities,”

including 51% of whites, 76% of blacks, and 69% of Hispanics.

http://www.gallup.com/poll/163655/reject-considering-race-college-admissions.aspx?utm_source=alert&utm_medium=email&utm_campaign=syndication&utm_content=morelink&utm_term=All%20Gallup%20Headlines%5C

In June 2009 the Pew Research Center found that there was general support for affirmative action, but not preferences: Note how the question is phrased:

<i>Affirmative action programs designed to help blacks, women and other minorities get better jobs and education:</i>	Aug <u>1995</u>	Aug <u>2003</u>	March <u>2005</u>	Jan <u>2007</u>
	%	%	%	%
Favor	58	64	67	70
Oppose	36	31	28	25
Don't know	3	5	5	5
	100	100	100	100

<http://www.pewresearch.org/2009/06/02/public-backs-affirmative-action-but-not-minority-preferences/>

Using the terms “special preferences” or “preferential treatment,” *which affirmative action is not*, can considerably reduce support for affirmative action. In a 2007 Pew Research Center poll when using the term “preferences” to describe affirmative action, support for such policies dropped by double-digits among all races. Likewise when affirmative action is proposed as an alternative to a strictly merit-based system, support for affirmative action declines. In a 2013 Gallup poll a similar question was asked as in 2016:

“Which comes closer to your view about evaluating students for admission into a college or university—applicants should be admitted solely on the basis of merit, even if that results in few minority students being admitted (or) an applicant’s racial and ethnic background should be considered to help promote diversity on college campuses, even if that means admitting some minority students who otherwise would not be admitted?”

Here two-thirds of Americans claimed they were opposed to considering race and ethnicity in college admissions. In the same questionnaire, however, 58 percent of Americans said they were in favor of “affirmative action programs for racial minorities.” Attitudes toward affirmative action would likely have been similar if such phrasing were used in the 2016 Gallup poll, which you cited.

To say that the “Public Opposes Affirmative Action” based on the 2016 Gallup poll is seriously misleading and inaccurate. As in any opinion poll, if the wording of the poll is biased, the results will be as well.

Sincerely,

Shirley J. Wilcher

Shirley J. Wilcher
Executive Director
execdir@aaaed.org