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**How has Affirmative Action, following the Supreme Court case *Regents of the University of California vs. Bakke*, affected the enrollment of blacks in college?**

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## **1. Abstract**

Affirmative Action has been a recurring policy integrating minority groups into the economic, political, and social happenings of the United States over time. Even before American independence, there has been a wave of discrimination against black minorities that stemmed from the slavery that has been instated since the 17th century. Therefore upon instituting the policy of Affirmative Action, many researchers have delved into its effectiveness on bridging discrimination and equality gaps between whites and minorities in the workforce, academics, community, and other circumstances.

This paper investigates the relationship between Affirmative Action policy, following the landmark case in American history, *Regents of the University of California vs. Bakke*, and the level of academic opportunities provided to black minorities who are aided under Affirmative Action, between the years of 1975 to 2005. The timeframe that is chosen specifically aims to see the social and academic factors that changed following the Supreme Court case. The court ruling addressed the constitutionality of Affirmative Action and ruled the end of racial quotas in college admission decisions.

In order to see the impact of the case using a regression, the percentage of enrolled blacks were chosen as the dependent variable (as a measure of academic opportunity). The independent variables include the difference in SAT scores of blacks and whites, and Bakke is used as a dummy variable.

Results demonstrate two important conclusions. Firstly quotas augment levels of black enrollment, and secondly their SAT scores need to be considerably higher than whites in order to be enrolled. This illustrates the importance of SAT on college recruitment. This paper proposes policies that focus on enhancing SAT scores of students, raising the level of extracurricular investment, improving standards of education, as well as implementing quotas based on race and merit. This way the black population, in addition to other unprivileged demographics, have a higher chance of readily integrating in the academic arena in the USA.

## **2. Policy Question and the Purpose of the Paper**

Labeled as one of the most controversial topics after slavery abolishment, Affirmative Action has been a continuously debatable subject regarding the treatment and opportunities for under-represented and unintegrated minorities. Consequently, it has drastically shifted the approach to racial preferences and incorporation in the academic, labor, social, and political sector. One such addressment, *Regents of the University of California vs. Bakke* (1978), is the focus of the following paper and relates to racial quotas in academia.

As Affirmative Action policies began, and its focus was on improving levels of racial integration, racial quotas were considered as an option to end segregation and discrimination. Racial quotas seemed to represent the under-represented minorities and disadvantages sectors; they were viewed as a beacon of hope for those who otherwise would not have been able to reach such points of success in their life-long career. Over time however, quotas demonstrated discrimination in its essence because by nature it is a factor that distinguishes one group towards opportunity over another, disqualifying potential credentials (such as grades) that may be of utmost importance in the labor and school force.

This paper brings out the controversy over Affirmative Action, quotas, and the questionable debate about aiding “minorities at the expense of the majority<sup>1</sup>.” It is significant to investigate the effectiveness of discriminating policies that aim to end discrimination by their core. This paper delves into the effectiveness and unconstitutionality of quotas, the impact it leaves on the minority and majority groups of college applicants, and resulting proposals to optimize future opportunities of all demographics.

Racial integration policies in college academic studies has been the highlighted topic in the following research as college exhibits the epitome of educational acquirement. We wish to analyze how education opportunities changed over time. In 1970, 17.4% of whites ages 25-19 held a college degree, relative to approximately 6% of African Americans (Arcidiacono, Lovenheim, & Zhu, 2015, 488). The statistics bring us to investigate the core of what has been impacting racial segregation in academia, how this affects different demographics over time, and the resulting need for change in future policy.

In summary, the lack of proper representation of minorities in academia (Appendix 1) has brought society to legislative progress favoring the underprivileged, though the evolvement is questionable. As such, the purpose of the paper is to analyze how quotas affect the enrollment of blacks and whether it is the best method in order to integrate them in endeavors contributing to future success.

### **3. Background:**

#### **a. Theoretical Background**

The first official addressment of segregation between races was discussed and finalized under Supreme Court Case *Brown vs. Board of Education of Topeka* in 1954 which ruled that racial segregation in public schools are considered unconstitutional, even if the

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<sup>1</sup> *Regents of the University of California vs. Bakke* (1978)

educational quality in segregated schools is viewed as equivalent. As Motley (1979) analyzes, the “separate but equal is inherently unequal”<sup>2</sup> principle from the landmark decision has commenced the underlying dispute over the extent of implementing racially-integrating policies, which would later be known as Affirmative Action. The years following Brown disqualified any limits based on race, however linked to societal opposition to anti-discriminatory policies. New civil rights laws challenging acts of discrimination were put forward in order to have proper enforcement of a new legal status for blacks. Affirmative Action addressed education and labor, especially when racial discrimination was seemingly outlawed, though not practically carried out by citizens.

Officially enforced as an Executive Order in 1965 by President Johnson, government contractors were required to “take affirmative action” toward eligible minority employees, which later included gender discrimination. From then on, the political subject has been questioned, suggesting whether racial preference is indeed successful in integrating the minority sector into society, especially with regards to higher education.

As the trend of racial discrimination within college admission seemed to be more obvious and imminent, the backlash of the white population gradually came along. The question of allowing Affirmative Action at the expense of white individuals’ opportunity in their education, and subsequent career, was brought forth in the monumental Bakke case in 1978. The case involves a white applicant, Allan Bakke, who applied to University of California Davis Medical School. The medical school application process operated under two pools of admission: one of regular applicants, and the second for minority students and financially disadvantaged applicants (16 out of 100 places were reserved for the second set of applicants). Bakke was rejected twice, even though various minorities were accepted with substantially lower grades than him, and so he took matters into further investigation.

Bakke claimed that these admission rejections were solely on the basis of race, which thus violate his granted Fourteenth Amendment’s Equal Protection Clause as a U.S. citizen. This Clause states that “nor shall any State [...] deny to any person within its jurisdiction the equal protection of the laws<sup>3</sup>.” This case, making its way up to the Supreme Court concluded in a 5-4 split decision that race is indeed a criterion to consider for school admissions, however the use of rigid quotas is unconstitutional. Overall, Affirmative Action programs and

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<sup>2</sup> A legal doctrine in U.S. constitution that dictates how racial segregation infringes the Fourteenth Amendment to the U.S. Constitution, which protects U.S. citizens under “equal protection” of the law.

<sup>3</sup> Fourteenth Amendment’s Equal Protection Clause of the U.S. Constitution

policies are legal and constitutional, though inflexible quotas are not, because providing greater opportunities for minority sectors did not come at the expense of removing the rights and options of the majority.

Bakke reshaped academia by vocalizing a recurring phenomenon in college admissions processes that until then were not reviewed for their constitutionality. That is the concept of “reverse discrimination,” which increasingly emerged in academic sectors as whites gradually became more discriminated against in favor of minorities (Appendix 2). Academic and labor heads found it significant to include more minorities, not for the sake of desire or preference, but rather for the gesture of demonstration. This means to specifically display to other powerful organizations and authorities, and many times investigators, that they are complying with minority integration procedures. Through Bakke, whites found a means to vocalize their felt injustice that was aggregating.

Posner (1979) delves into the intentions of minority inclusion; has it been out of preference (rationality standard) or out of force from scrutiny (strict scrutiny standard)? He mentions how the swing vote<sup>4</sup> in the court, held by Justice Powell, emphasized that strict scrutiny should be the standard when promoting racial integration and equality among racial groups. However, this concept cannot be solely applicable to minorities in order to make sure that they are granted their rights. If it is not provided on the same level to the majority (whites) then it is considered unequal protection and equality rights under the Fourteenth Amendment. Those who opposed Bakke stated that he was not part of the minority and therefore did not need special protection granted to him, and strict scrutiny was not relevant to his demographic. This is exactly what Justice Powell undermines; strict scrutiny is meant for both the minority and the majority. Reverse discrimination should not be viewed lighter and less strictly than regular discrimination just because it has to do with the majority; equal protection is equal protection, regardless of the demographic.

This is the first time that such a distinction was placed between the legality of Affirmative Action compared to the legality of racial quotas. No longer would the academic institutions ignore the fear of the whites while considering opportunities of the blacks. Affirmative Action would continue and spread in order to promote accomplishment among disadvantages sectors, yet the granting of certain benefits would not be at the expense of a

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<sup>4</sup>A single Supreme Court vote that single-handedly decides the outcome of the case between a split decision.

majority consideration, even more so when considering the set-in-stone and debated concept of quotas.

### **b. Literature Survey**

Research has been conducted to identify the effect of Affirmative Action on education opportunities of minorities. Kane and Dickson (1998, 2006) have studied the impact of Affirmative Action on college admissions. Bell (1979) examined post-Bakke's era to question whether racial preferences affect only blacks or whites as well.

To analyze the relevance of race on college admission decisions in the early '80s, Kane chose the high school class of 1982 and the High School and Beyond (HSB) survey as a source of investigation. His regression concluded that racial preference is more likely to occur in "elite" colleges and that the preferential advantage that black students benefit is equal to approximately 400 more points on the SAT. Minorities are about 2.1 percent more likely to be admitted to the colleges that they applied to compared to whites with similar credentials. Kane highlighted that the benefits that minorities receive lead to lower completion rates, since it places minorities in situations where they are not competent to complete their degree, as they are prone to have less pre-college preparation disadvantages. His paper is pertinent to this paper since it outlined the possible determinants of college admission. These determinants served as a base to our regression and linked to important conclusions to consider while formulating recommendations.

Dickson (2006), similarly to Kane, used a regression to analyze how the lack of Affirmative Action programming affects quantity of minority applicants in college. Following 1996, the 5th Circuit Court decided in *Hopwood vs. University of Texas* to end the use of race in college admissions in Texas. Dickson analyzes the amount of high school graduates that take a college admission test, based on data from the Texas Education Agency (TEA) over the years of 1994–2001. Her conclusion indicated that blacks applicants lowered by 2.1 percentage points when Affirmative Action programs halted, while it did not have any significant consequence for white applicants. The relevance of this paper is the connection with a Supreme Court case, under the addressment of Affirmative Action policy, and its effects on society.

While Dickson (2006) focused on how white applicants were not necessarily affected by the halt of Affirmative Action programming, Bell (1979) introduced an ironic phenomenon of Affirmative Action and the beneficial link that it unexpectedly places in the hands of upper-class whites. The principle of nondiscrimination is supported by whites, though the implementation over time has been avoided and opposed. This is due to the fear of

giving up aspects of social status, especially for whites within the upper parts of the social ladder. Ironically, policies aimed to help minorities result in aiding whites more than blacks. For instance, the noteworthy Supreme Court case *Brown vs. Board of Education* stating that “separate but equal is inherently unequal” gradually caused the white public school system to improve to a higher level once whites feared that the integration of academically inclusive policies would harm levels of their children’s education.

Bell (1979) delves into how American history has proven time and time again that blacks are only capable of progressing if this progress is also somewhat granted to whites. Where there is a policy change, whites will be proven as the given “beneficiary” and blacks will pay the major cost over time. This can include social, academic, and even career-centered. Those who fear the harms of minority integration and actually experience the fears that they expected are the low-class whites. This is especially relevant in the field of academia, when they do not contain the matching financial criteria to enroll in elite colleges, and are also not “racially favored” as a minority under strict scrutiny standards. This serves as an interesting basis for whether racial-centered programs are indeed effective in allowing blacks to seize opportunity, and how this ultimately impacts the different sectors of the white population.

### **c. Research Hypothesis**

Given the research conducted and the knowledge acquired, we hypothesize that firstly, the high average SAT scores for blacks will be linked to higher rates of black college enrollment. This is because past research has indicated the significance of scores in the college admission processes. Secondly, quotas are expected to not be the most efficient means to aid black integration in academia. This is because of the unprepared college level from their high school experience that is likely to cause higher dropout rates. Blacks accepted solely on the basis of race will be pressured to complete a role that they were not necessarily prepared for or capable of achieving based on prior high school level provided (but are nonetheless accepted on the motive of racial integration rather than individual intelligence level). This is based off of the academic writing of Kane (1998), in which he emphasized how racial preferences in college admission poses such harms including causing minorities to “enter colleges for which they are underprepared and in which they are more likely to fail because of the competition from other students.”

Third, within the period studied, the black enrollment change will be more substantial compared to the Hispanic minority. This hypothesis is based on how blacks have been



subjected to more severe forms of discrimination, such as Jim Crow Laws<sup>5</sup>, for longer periods of time in American history. Thus, pushes for change will be expected to be applicable to the minority who have faced the most discrimination over time, to remedy the mistakes of the past.

#### 4. Methodology

##### a. The data base and the research method

The regressions tested will be used to analyze the effect of *Regents of the University of California vs. Bakke* on the college enrollment rates of blacks during the years 1975-2005 in the USA. Kane (1998) outlines in his regression the main determinants to college admission which include race, academic credentials (Grade Point Average (GPA) and SAT), and high school activities. Since a measurement of high school activities is not clearly defined and GPA scores based on race are not found in the chosen time period for our study, his regression was only used as a base to determine which variables should be included and taken into consideration while doing the overall inquiry of our policy question.

Sackett et al. (2012) uses data from the College Board for 2006, and has found a positive correlation between GPA and SAT scores. Therefore the availability of SAT scores were enough to factor in the regression, rather than testing the effect of black college enrollment with GPA *and* SAT scores.

All variables used in the paper to analyze our question are explained in Table 1. Not all variables are included in regression, but aided in evaluating trends and data.

Table 1

| Variable     | Explanation                             | Measure  | Source  |
|--------------|---|--|---|
| BlacksEnroll | Percentage of black enrolled in college | The percentage of Black Population 18-to 24-Year-Olds who are high school completers and enrolled in college (out of total 18-to 24-Year-Olds enrolled in college) | Pew Research Center analysis of the October 2008 Current Population Survey and U. S. Census Bureau, Current Population Survey, 1967 to 2007 |

<sup>5</sup> Legislation that legalized racial segregation in the United States, instituted in the late 19th century and early 20th century. They reinstated the Black Codes from the 1860s, which limited blacks' civil rights and liberties.

|             |  |   |   |
|-------------|--|---|---|
|             |  |   |   |
| HispEnroll  | Percentage of Hispanic enrolled in college | The percentage of Hispanic Population 18-to 24-Year-Olds who are high school completers and enrolled in college (out of total 18-to 24-Year-Olds enrolled in college) | Pew Research Center analysis of the October 2008 Current Population Survey and U. S. Census Bureau, Current Population Survey, 1967 to 2007 |
| WhiteEnroll | Percentage of White enrolled in college    | The percentage of White Population 18-to 24-Year-Olds who are high school completers and enrolled in college. (out of total 18-to 24-Year-Olds enrolled in college)   | Pew Research Center analysis of the October 2008 Current Population Survey and U. S. Census Bureau, Current Population Survey, 1967 to 2007 |
| Income      | Average black income                       | Mean income (in dollars) of blacks  | United States Census Bureau   |
| Blacksat    | Mean scores of blacks in SAT               | Scholastic Aptitude Test score averages of blacks   | NCES (National Center for Education Statistics)   |
| Whitesat    | Mean scores of whites in SAT               | Scholastic Aptitude Test score averages of whites   | NCES (National Center for Education Statistics)   |
| Hispsat     | Mean scores of hispanics in SAT            | Scholastic Aptitude Test score averages of hispanics  | NCES (National Center for Education Statistics)   |

To make the error term,  $e$ , as low as possible, variables that influence black enrollment must be verified. The chosen variables and years are essential for the analysis of the research question and aggregate the three main effects of enrollment: competition and race (hispanic and white), academic excellence (SAT scores), and financial abilities (black income). Enrollment rates are a more accurate measure to demonstrate the effectiveness of policies relating to Affirmative Action, rather than the number of people enrolled by race. This is because enrollment rates measure the share (out of the total) that they represent in the

student body. Even though the number of black students increased over the years, the study comes to investigate if proportionally they are being better represented inside universities.

Taking this into consideration, the initially formulated OLS regression was:

$$\Delta \text{BlacksEnroll} = \beta_0 + \beta_1 \text{HispEnroll} + \beta_2 \text{WhiteEnroll} + \beta_3 \text{SAT} + \beta_4 \text{income} + \beta_5 \text{bakke} + e.$$

This regression had a problem of collinearity because white enrolled + hispanic enrolled + white enrolled = 1 which consequently may lead to biased results. After considering this potential issue, the regression was changed to include competitor variables (SAT scores of Hispanics and Whites) and the rest of the variables, though all were found insignificant except for income.

In a Forbes online article, Cohen (2015) detailed a complaint filed by Asian-Americans against Harvard University for discriminating against minorities. This complaint, in collaboration with the U.S. Department of Education's Office for Civil Rights, was filed under the recognition that Asian-American students need to score 140 points higher on the SATs than white students in order to gain admission. The article provided a valuable idea of how to investigate our data, and that is through usage of the difference between white and blacks SAT scores along with the Bakke variable in the regression. This is a useful insight as it gathers the competition, blacks' abilities, and the variable that we wish to study. The results were significant and the final regression used to analyze our policy question is as follows:  
$$\Delta \text{BlacksEnroll} = \beta_0 + \beta_1 \text{dsatbw} + \beta_2 \text{bakke} + e,$$
 where *dsatbw* is the difference of the SAT scores between blacks and whites

Another consideration that also altered the structure of the regression above is that because black SAT score is undoubtedly an essential variable to determine the enrollment level and has been found to be highly positively correlated to income ( $\rho = 0.9456$ ), income would consequently be excluded. Instead, including blacks SAT scores in the regression would be more efficient by comparing it with the SAT scores of whites.

Stata was the platform used to perform the regressions. The research process was divided as follows: first, we conducted intensive research on the variables, taking into consideration the availability, source, and its validity. Second, we ran the initial regression model. Third, we evaluated the results and its significance. Lastly, we optimized the model by making the necessary changes and modifying the regression and variables to generate significant results.

## **b. Data Analysis**

### *Problems and Possible Biases*

The regressions performed oftentimes resulted in insignificant outcomes. This may be a result of recognized problems and limitations throughout the work process. One issue presented is that the variables chosen in the table below have high correlation between them. High correlation between two independent variables results in a multicollinearity problem which can cause misinterpretation of the results.

Table 2

```
. correl blackenroll hispenroll whiteenroll blacksat income bakke
(obs=28)
```

|             | blacke~1 | hispen~1 | whitee~1 | blacksat | income | bakke  |
|-------------|----------|----------|----------|----------|--------|--------|
| blackenroll | 1.0000   |          |          |          |        |        |
| hispenroll  | 0.8734   | 1.0000   |          |          |        |        |
| whiteenroll | -0.9313  | -0.9908  | 1.0000   |          |        |        |
| blacksat    | 0.8847   | 0.9478   | -0.9549  | 1.0000   |        |        |
| income      | 0.9199   | 0.9447   | -0.9624  | 0.9456   | 1.0000 |        |
| bakke       | 0.3021   | 0.3615   | -0.3544  | 0.4524   | 0.3709 | 1.0000 |

A second problem is the lack of data relating to SAT scores by race prior to 1975 (around the same time period as Bakke), as stated clearly in NCES website. The Supreme Court case occurred in 1978, giving only 3 years of data before the case being studied, which can be a flaw for our investigation. In addition, looking at more recent years, there is no available SAT score data for the years of 1994,1998, and 1999.

Another possible issue is the dependent variable of college admission. Even though Bakke is related to college admission and the dependent variable is specifically the rate of enrollment, the two can be seen as correlated variables, as a student cannot be enrolled in college without being accepted first. Undoubtedly, the decisions of enrollment to college consider other factors such as financial aid. We recognize that this missing variable is also relevant to the regression, however due to the absence of accessibility of financial aid by race the variable could not have been properly included into the regression.

Lastly, there can be other external influences affecting the regression. Affirmative Action is a topic with constant changes, new implementations, and progressing decisions over time. Other important events related to racial admission, as shown in Appendix 3, occurred previously or were happening during the time period studied. Therefore, isolating the effect of Bakke on college enrollment is not capable of being simply performed.

### *Relationships and Inferences*

The correlation table followed our expectations. Higher levels of black enrollment in college is positively correlated to income, SAT scores, and Hispanic enrollment. To explain this relationship, black enrollment is highly dependent on the financial ability of individuals to finance their way to college education as well as college preparatory courses. There is a specific positive connection between the Hispanic and black college enrollment because Affirmative Action applies to all minorities and not only blacks, thus the programming would bring both under-represented groups to be more affiliated in academia. A negative correlation between black and white enrollment is logical under the reality that as more minorities are enrolled there is less space for white enrollment.

Table 3 below reveals an interesting study of the mentioned variables. The difference between the minimum and maximum enrollment rates is most noticeable for Hispanics, meaning that in the years studied Hispanics suffered more changes in enrollment (in percentage points). Since our study focuses on the black population, their enrollment rates are usually higher than Hispanics, but they have suffered fewer changes. This conclusion differs from one of our expectations under the research hypothesis. A possible explanation might be by looking at their individual SAT scores, which is a main determinant to admission, as Hispanics have a higher mean by approximately 30 points.

The discrepancy between SAT scores of blacks and white is also evident. The difference varies from 96.5 to 139 points. SAT scores directly affect college admissions, as they are a heavy factor taken into consideration. All races' SAT scores have similar standard deviation values, meaning that the changes suffered were comparable between the different races.

Table 3

. sum

| Variable    | Obs | Mean      | Std. Dev. | Min      | Max      |
|-------------|-----|-----------|-----------|----------|----------|
| years       | 31  | 1990      | 9.092121  | 1975     | 2005     |
| blackenroll | 31  | .1076724  | .0094195  | .0939796 | .1256069 |
| hispenroll  | 31  | .0673316  | .0237556  | .0361566 | .112951  |
| whiteenroll | 31  | .8249961  | .0322101  | .7710696 | .8650534 |
| income      | 31  | 46010.71  | 5926.278  | 38414    | 56765    |
| blacksat    | 28  | 379.7083  | 36.419    | 333      | 432      |
| whitesat    | 28  | 486.7261  | 29.6085   | 462      | 534      |
| hispsat     | 28  | 411.1589  | 32.51476  | 377.25   | 459.2    |
| bakke       | 31  | .9032258  | .3005372  | 0        | 1        |
| dsatbw      | 28  | -107.0178 | 12.35479  | -139     | -96.5    |

Overall looking at the big picture, black income grew over the years (Appendix 4). This shows the effectiveness of Affirmative Action policies that overcome disparities between blacks and whites over time. As such, by seeing that disadvantaged sectors have managed to climb their way out of disparity, the hope and aim to apply this effectiveness in academia is by approaching the gaps between the privileged and unprivileged within the framework of our recommendations.

The final regression gave us significant results as follows:

Table 4

. reg blackenroll dsatbw bakke

| Source   | SS         | df | MS         | Number of obs = 28 |        |  |
|----------|------------|----|------------|--------------------|--------|--|
| Model    | .000887917 | 2  | .000443959 | F( 2, 25) =        | 8.10   |  |
| Residual | .001370752 | 25 | .00005483  | Prob > F =         | 0.0019 |  |
| Total    | .002258669 | 27 | .000083654 | R-squared =        | 0.3931 |  |
|          |            |    |            | Adj R-squared =    | 0.3446 |  |
|          |            |    |            | Root MSE =         | .0074  |  |

| blackenroll | Coef.     | Std. Err. | t     | P> t  | [95% Conf. Interval] |          |
|-------------|-----------|-----------|-------|-------|----------------------|----------|
| dsatbw      | .0007752  | .0002199  | 3.53  | 0.002 | .0003224             | .001228  |
| bakke       | -.0171149 | .0086238  | -1.98 | 0.058 | -.034876             | .0006461 |
| _cons       | .2047952  | .0303855  | 6.74  | 0.000 | .142215              | .2673753 |

*Blackenroll* is the percentage of blacks enrolled in college, the variable *dsatbw* was calculated by generating a new variable where  $dsatbw = \text{blacksat} - \text{whitesat}$  and *Bakke*, the dummy variable, equals 0 before the Supreme Court case and its implementation and 1 after the implementation of the final case decision.

### **c. Findings, Results, and Conclusions**

As demonstrated from the data in Table 4, even though *Bakke* is not significant at a 5% level, it is significant at a 10% , which is also a considerable level to conduct analysis. The outcomes show a positive relation between the difference of SAT scores and a negative correlation with *Bakke*. The positive relation with SAT scores was expected as we have delved into research that shows the importance of that grade in college admission. Different from our expectations, quotas was found to be a beneficial means to increase the enrollment rates of blacks at that time period.

*Dsatbw* provides an insight on how much blacks should score in order to get enrolled compared to whites. Black enrollment increases if their SAT score is relatively much higher; the coefficient of 0.0007752 reveals that if a black scores 100 points more in the SAT than whites, their enrollment rate will increase by approximately 7.7%. Similarly, a study made by two Princeton sociologists, Thomas Espenshade and Alexandra Radford, quantified that blacks need 310 more points than whites in order to have an equal chance of admission. Not only does this illustrate the importance of the SAT scores on the enrollment of blacks, but also it serves as an interesting observation that blacks need to get a much higher score in order to get enrolled. Overall this provides future policy implementation possibilities and considerations for academic change.

The most important consideration to the research question is analyzing the *Bakke* variable. The findings demonstrate that when *Bakke* is equal to 1, the black enrollment rate diminishes by 1.7%. This means that when quotas were considered unconstitutional, the number of blacks in college diminished in percentage. Quotas, therefore, have proven some level of effectiveness in integrating and increasing black enrollment in college in the USA during the time studied.

A possible explanation to the beneficial perspective regarding quotas, based on our findings, is the situational context that is appearing at the time. This is especially relevant for two reasons. Firstly, the conditions of blacks' SAT scores were viewed as strikingly different from that of the majority sector. The results can be considered logical as blacks normally come from a relatively underprivileged background compared to whites, overall leading to a

disadvantage in their academic grades (GPA and SAT), high school activities, and ability to finance college. These factors are considered important in the decision of one's admission into college, and therefore, quotas are a method to integrate them in academia and offset these differences.

Furthermore, the societal dispute regarding discrimination compared to reverse discrimination was extremely vocalized. And so, an effort to solve legislative issues for minorities was a definite contributor to causing a beneficial perspective of quotas, as it was seen to immediately integrate the under-represented. All in all, the Bakke case, spurred an immediate change in legislation that was going to follow.

The contribution that our study provides to present literature and research is the focus on the effect of the *Regents of the University of California vs. Bakke* decision on making racial quotas unconstitutional. The goal of the paper is to observe the effects of such policy and the possible implications it can cause to black students. The combination of the data analysis and the research made, concludes that even though quotas may seem to be a positive way to integrate blacks in academia, it can further develop future problems with the capabilities of the minority in scenarios of education. Therefore by observing the importance of the SAT scores and other pre-college credentials, the necessary changes should focus on enhancing such variables.

Future research in the topic should include new independent variables such as financial aid, dropout rates, and other Affirmative Action programs. Furthermore, an ability to take a deeper look into data prior to 1975 in order to achieve more significant and accurate results would strengthen the validity of promoting policy to aid the underprivileged and leave all sectors better off in the long run.

## **5. Policy Recommendations**

Based on our findings, there are several recommendations made to address the levels of black enrollment and racial integration into society up until today. Even though quotas were found as a possible contributor to black college enrollment, acceptance based on race may lead to future problems such as lower performance compared to other students, lower GPA, higher dropout rates, and lower college completion rates due to high difficulties in their studies (as based off of previous studies). Thus, the first focus of our recommendation will be enhancing the opportunities blacks have prior to their college experience.

The first recommendation aims to address an earlier, yet imperative, factor contributing to college enrollment, and that is the grades and SAT scores of students.



According to a study made by the National Association for College Admission Counseling (2015), grades are the most considered factor in college admission decisions. Therefore, viewing the current societal changes from the early '60s until today the need to create integrating, yet effective policy is by addressing the root of what determines college admission apart from race. A color-blind factor to admission must continue to serve as the *first* factor that increases the opportunities of black in college. That is, maintaining the first factor to be a color-blind determinant (scores and grades) rather than solely on race. Race is definitely a crucial factor when considering integrating policies, however putting race aside, the ability to recognize intelligent students who unfortunately do not have the proper resources who can indeed contribute to future societal advancement is more important.

Such a policy would include a government education subsidy granted to private and public schools that are predominantly consisting of disadvantaged students who are statistically less probable to contain the proper resources to sufficient SAT and college preparation. The subsidy would also aim to enrich the level of education in the schools with the objective of raising the standard of curricula taught at these schools. This would ideally raise the average GPA of students, an important asset to a college application. Viewing Appendix 5, minorities tend to fall into this category; 65% of black and hispanic children below the age of 18 are living in low-income families, compared to 31% of whites, respectively.

This subsidy would be used to ameliorate the level of investment in SAT preparation courses inside the classroom (as part of English and Math curricula) and outside of the classroom for disadvantaged children regardless of race. Based on research and statistics this would be implemented more in the minority sectors, as a higher percentage of whites live in higher-income situations. We find this an extremely important factor of college interference to reshape given our regression results that showed how SAT scores are significant; over the time period studied there was a vast difference between black and white average SAT scores that ranged from 96.5-139 points.

Subsidies will also be financing extra-curricular activities that indeed impress college admissions board. Appendix 6 demonstrates the level of significance that rigorously competitive colleges, such as Amherst College, place on the participation in extracurricular activities. Based on these findings there is legitimate source of importance in investing in student life and education outside of the classroom. This is because it links to higher academic performance; Massoni (2011) states how a study done by the USDE concludes that students who participate in extracurricular activities are three times more likely to have a

GPA above 3.0 out of 4.0. In addition, these participation abilities allow students to explore their interests and create perspectives about their goals and interests. Extracurricular activities are clearly an asset that allow students to learn more about certain sectors and niches in greater detail, refining the skills and abilities of students upon embarking to college.

This policy would be instituted for students in middle and high school, who are preparing for their next step in higher education. By instituting at a younger age, the chance of having underprivileged students reach an ability to excel academically increases. When leading to this next step of college, these students will be able to reach their next point of higher education with assurance, and regardless of which demographic they are associated with.

The college application process places heavy focus on grades and other high school credentials, and thus merit is applicable to those hard-working students. This would allow admission boards to place the focus on merit, on how access to educational opportunity is relevant to all races, which opens doors to those who would not have had the opportunity to go to college otherwise.

The second factor of the recommendation is targeting individuals who are already within the pool of applicants, and therefore would not have access to resources under the first recommendation. Individuals within this cohort did not have as much investment in opportunity, but nevertheless aim to reach academic success. We recommend to introduce a broader approach to racial integration and quotas, especially as quotas were proven successful in a time period where people lacked the educational resources but still aimed to advance in their college career. This approach will be under the viewpoint of Justice Powell from the Bakke case.

The quota system that has been considered throughout the admission system under Bakke was solely on the basis of racial merit, and focused specifically on blacks who are disadvantaged. As stated earlier, Justice Powell emphasized how strict scrutiny cannot only be viewed for the minority sector, but rather also for the majority. If this is only applicable to the minority it is considered unequal treatment to citizens under the Fourteenth Amendment. Equal protection is equal protection regardless of the demographic.

By analyzing this opinion of granted rights regardless of the demographic, we aim to introduce quotas that integrate another factor, academic performance, within the range of the quota. This broadening approach is a balancing racial system and merit system that opens doors to the minorities harmed by discrimination, the educated whites suffering from reverse discrimination, and poor whites who are neglected based on reverse discrimination and

financial disadvantages. The regression in the Methodology Section concluded in quotas causing higher black enrollment rates, so continuing quotas is important, but must be balanced by a merit system in college admission. This means that the racial quota for all demographics would not be viewed alone, but rather with the consideration of a color-blind GPA quota. This recommendation would protect all demographics under the Fourteenth Amendment, which falls within the framework of Justice Powell's beliefs.

By implementing such a recommendation, the academic disparities that blacks face as being the unprepared group within the class will be lowered. This is because the merit system lowers the chances of unqualified students being granted positions that they are not fitted for.

Both of the outlined recommendations are effective in addressing the dropout problem that Kane (1998) detailed; under a quota system that only views race, minorities are many times placed in a situation where they are underprepared and likely to fail due to the lack of academic qualification. Because we introduce a quota system (for the current high school graduates that wasn't able to obtain the effects of the first recommendation) that is not specifically centered within the range of racial merit but also academic merit, the probability of pressure from unpreparedness decreases.

All in all, the first recommendation is our ultimate focus, as it stresses the importance of having the same opportunities and access to resources for the future generations, from various demographics and financial sectors (most relevantly to be the black demographic). These subsidies and investments are for ultimate merit emphasis when pursuing a higher level of educational attainment. The second recommendation aims to bring solutions to those who are currently facing the disparities and gaps for access to resources and continuing education. They contribute to future happenings just as much, and therefore should be regarded with a more rigid policy of racial quotas that is bridged with the flexibility of quotas based on merit.

In summary, the prime years in college academia contain ability to change one's future. By viewing how *Regents of the University of California vs. Bakke* changed the lives of the majority and minority through addressing reverse discrimination, there is a door-opening chance to view to what extent both sectors have changed their access and quality to education. This case has reshaped academia and the process in which people view opportunity and their rights, even tying to the roots of their demographic. Affirmative Action has brought out the constitutionality of some racial legislations over others and historically affected and will continue to transform minorities and the majority lifestyles. This will address the need for future change through the recommended policies.

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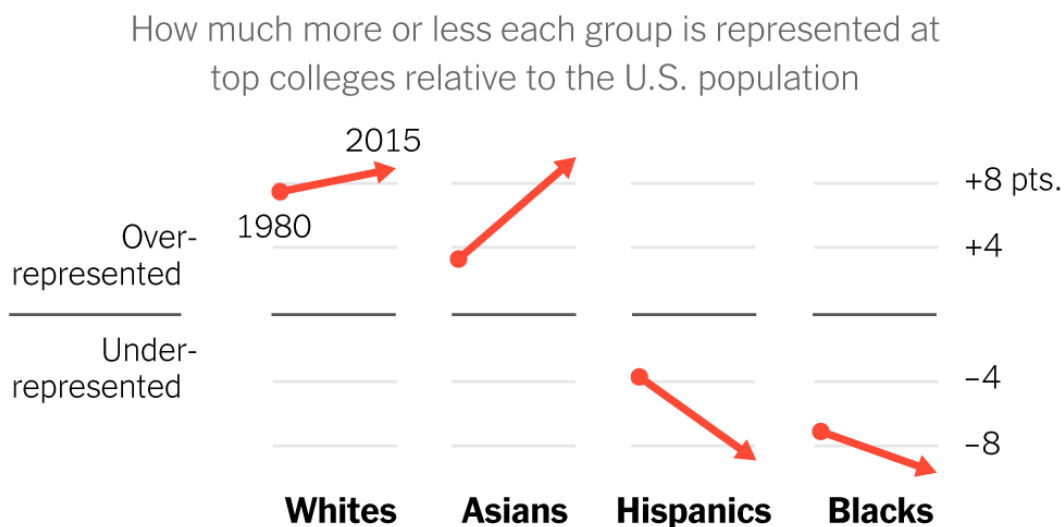
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## 7. Appendices

### Appendix 1



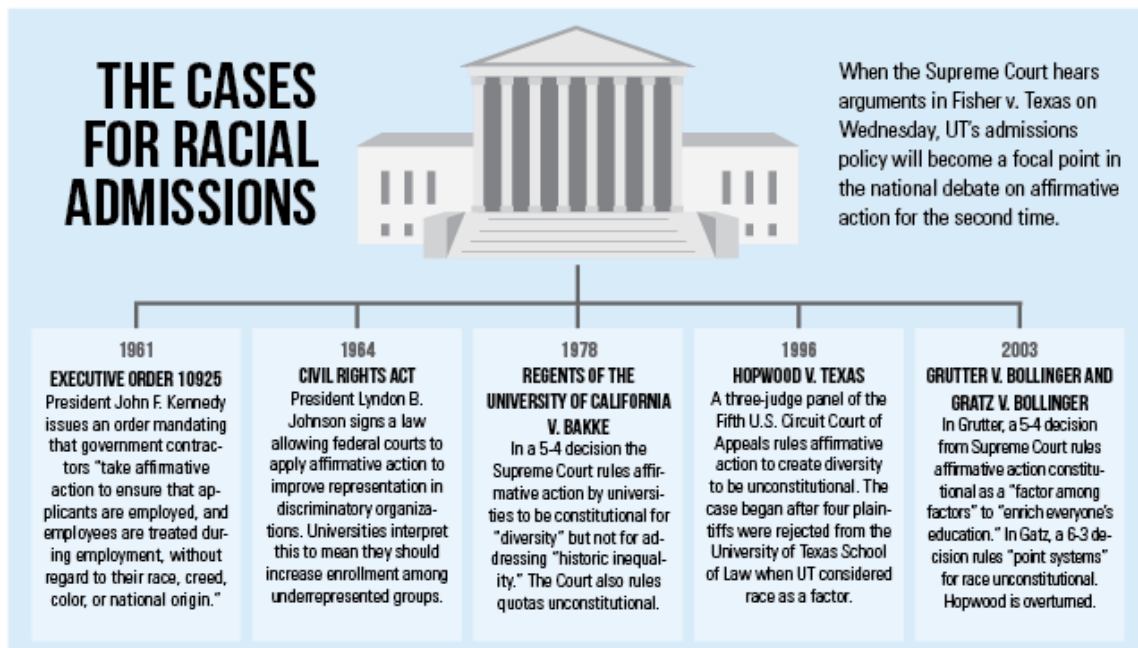
Retrieved from: <https://www.nytimes.com/interactive/2017/08/24/us/affirmative-action.html> on May 14, 2019

## Appendix 2



Retrieved from <http://reappropriate.co/2014/07/us-court-of-appeals-upholds-race-conscious-affirmative-action-in-college-admissions/> on May 16, 2019.

## Appendix 3



Retrieved from <https://www.dailytexanonline.com/news/2012/10/08/high-court-set-to-hear-fisher> on May 14, 2019

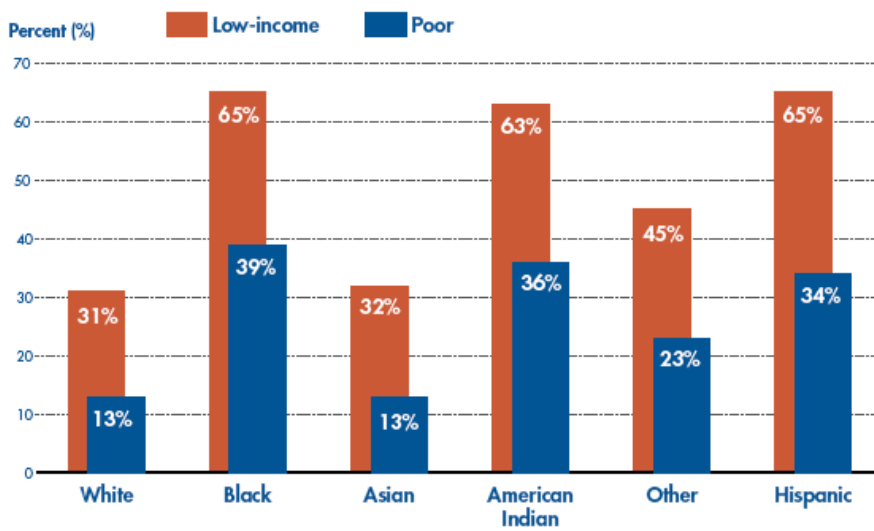
## Appendix 4

| years | income |
|-------|--------|
| 1975  | 38414  |
| 1976  | 39659  |
| 1977  | 39873  |
| 1978  | 41588  |
| 1979  | 41065  |
| 1980  | 39679  |
| 1981  | 38555  |
| 1982  | 38540  |
| 1983  | 38802  |
| 1984  | 40485  |
| 1985  | 42124  |
| 1986  | 43320  |
| 1987  | 43802  |
| 1988  | 44904  |
| 1989  | 45929  |
| 1990  | 45265  |
| 1991  | 44079  |
| 1992  | 43708  |
| 1993  | 45613  |
| 1994  | 48011  |
| 1995  | 48710  |
| 1996  | 50662  |
| 1997  | 50358  |
| 1999  | 56765  |
| 2000  | 55924  |
| 2001  | 54473  |
| 2002  | 54671  |
| 2003  | 53617  |
| 2004  | 52860  |
| 2005  | 53419  |

Retrieved from the data analysis of this research paper

## Appendix 5

Percentage of children in low-income and poor families by race/ethnicity, 2011



© National Center for Children in Poverty (www.nccp.org)  
Basic Facts About Low-Income Children: Children Under 18 Years, 2011

## Appendix 6

| Amherst College                    |                |           |            |                |
|------------------------------------|----------------|-----------|------------|----------------|
| Factor                             | Very Important | Important | Considered | Not Considered |
| Rigor of Secondary School Record   | ✘              |           |            |                |
| Academic GPA                       | ✘              |           |            |                |
| Standardized Tests                 | ✘              |           |            |                |
| Class Rank                         |                | ✘         |            |                |
| Recommendations                    | ✘              |           |            |                |
| Essay                              | ✘              |           |            |                |
| Interview                          |                |           |            | ✘              |
| Level of Applicant's Interest      |                |           |            | ✘              |
| Extracurricular Activities         | ✘              |           |            |                |
| Volunteer Work                     |                | ✘         |            |                |
| Particular Talent/Ability          | ✘              |           |            |                |
| Character/Personal Qualities       | ✘              |           |            |                |
| First Generation to Attend College | ✘              |           |            |                |
| State Residency                    |                |           |            | ✘              |
| Geographic Residence               |                |           | ✘          |                |
| Relation with Alumnus              |                |           | ✘          |                |
| Religious Affiliation/Commitment   |                |           |            | ✘              |

Retrieved from <https://www.wealthmanagement.com/college-planning/admission-factors-colleges-really-care-about> on May 20, 2019