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Book Author(s): Sigal Alon

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PART III

Class-Based Affirmative Action

CHAPTER 5

What Is Class-Based Affirmative Action?

In the United States, the term “affirmative action” has become synonymous with race-conscious admissions policies. In fact, this model of affirmative action, based on an ascribed trait, is the most common type of affirmative action policy found around the world. Today, however, owing to the controversy surrounding these policies and to recent Supreme Court rulings, affirmative action policy in U.S. higher education may be embarking on a new path. In *Fisher v. University of Texas* (2013), the Supreme Court affirmed the importance of diversity on college campuses but instructed universities to generate diversity using race-neutral solutions, allowing for the consideration of race and ethnicity in the admissions process *only after* race-neutral measures have been thoroughly exhausted. In light of the strict scrutiny that the Court has imposed on them—universities must present evidence of having explored race-neutral alternatives—the most selective colleges and universities in the nation will have to explore new means of generating campus diversity in the coming years.

The most likely alternatives to race-conscious admissions will be those based on class—that is, policies that give an edge in college admissions to the socioeconomically disadvantaged. The problem, however, is that the implications of replacing race with class in affirmative action are shrouded in ambiguity and misconceptions because, with the exception of sporadic experiments, class-based affirmative action has never been implemented in the United States. If Americans are serious about moving from race to class in affirmative action, then a comprehensive understanding of the available op-

tions and their implications is necessary. In this chapter, I shed light on what class-based affirmative action is and what it is not, and I methodically consider the various forms it can take. But first I outline the main arguments in favor of the class-based approach.

THE RATIONALE BEHIND CLASS-BASED AFFIRMATIVE ACTION

The idea of giving students of low socioeconomic standing a slight boost during college admissions has become popular in recent years, even more so after the *Fisher v. Texas* ruling in 2013. However, not all supporters of class-based affirmative action sound alike when explaining *why* we should implement it. Three distinct arguments among advocates can be identified.

Rationale 1: Use Class to Avoid Mismatch

The first camp of class-based affirmative action advocates is motivated mostly by an ideological opposition to race-conscious admissions. This group became especially vocal after the *Fisher v. University of Texas* hearings began in October 2012, with the goal of influencing that Supreme Court ruling. These advocates claim that by giving an edge in admission that is not based on meritocratic criteria but rather on group affiliation, race-based affirmative action runs counter to the core American values of individualism and egalitarianism, that it discriminates against whites and Asians, and that it benefits the “wrong people”—that is, it promotes “creaming” because only the most privileged among underrepresented minorities take advantage of it.

The main argument of this position is that race-conscious admissions set up minority students for failure. That is, by definition, the academic standing of affirmative action beneficiaries falls short of regular admission thresholds. This academic mismatch sets up the beneficiaries for failure in elite academic settings; thus, these minority students would be better served by attending less-demanding colleges. Perhaps the best spokesperson for this group is Richard Sander, a professor of law at UCLA and a long-standing opponent of race-conscious admissions policies. Sander and Stuart Taylor Jr. recently cowrote the book *Mismatch* about affirmative action in U.S. colleges.¹ Promoting the class-based road to affirmative action in place of race-conscious admis-

sions, they maintain that class-based affirmative action will not produce the same problem of mismatch but do not explain why or how. The results reported in chapters 9 and 10 demonstrate that, indeed, the beneficiaries of class-based affirmative action are not destined for failure in elite academic settings—yet neither are the beneficiaries of race-based affirmative action.

Rationale 2: Use Class as a “Trojan Horse”

The second camp supports the move from race to class in affirmative action for practical reasons. They are not ideologically opposed to the use of race as a factor in college admissions and in fact endorse the use of class indicators in college admissions largely for the purpose of increasing racial and ethnic diversity.² Their reasoning is that, in the face of growing controversy about race-conscious admissions and the strict scrutiny imposed by the Supreme Court, the days of this practice appear to be numbered, and if this happens the share of blacks and Hispanics at elite colleges will inevitably drop. Experience shows that without the consideration of race in admissions, the level of racial and ethnic diversity will surely decline—the several states that have banned the use of race as a factor in admission decisions have already seen a sharp drop in the share of black and Hispanic students at selective institutions. The voices in this camp suggest that colleges consider other factors in admissions, such as family income and high school or neighborhood type, that are believed to approximate race; their assumption is that a large share of the students targeted with class-based indicators will be black or Hispanic. The motivation, then, is to cushion the expected dive in the share of URM by way of a race-neutral substitute for current race-based policy that can generate racial and ethnic diversity.

The strategy of using class as a “Trojan Horse” for race is not new. In fact, this thinking is even evident in the Fisher ruling, which mandates that institutions seek race-neutral ways of generating diversity before using race as a factor in admissions. This direction is rooted in the belief that certain race-neutral measures can act as a proxy for race. For example, suppose for a moment that all poor applicants (with qualifying academic records) seeking admission to elite colleges are also underrepresented minorities. In this hypothetical scenario, targeting applicants with low family income could achieve a level of racial and ethnic diversity similar to that of current race-

based policy. Even if 80 percent of poor applicants are minorities, we would expect the resultant racial and ethnic diversity to approximate—but not match—the level produced by targeting race and ethnicity directly.

Perhaps the biggest supporter of the Trojan Horse logic is the U.S. government. In 2011 the Departments of Justice and Education copublished guidelines on how colleges and universities should go about generating racial and ethnic diversity.³ The letter recommended five different admission procedures, the first of which is firmly rooted in the proxy rationale: “An institution could consider an applicant’s socioeconomic status, first-generation college status, geographic residency, or other race-neutral criteria if doing so would assist in drawing students from different racial backgrounds to the institution.” Technically speaking, this suggestion advocates for using class-based criteria that are race-neutral. But it is clear that a major goal of this approach is to generate racial and ethnic diversity. Institutions are urged to admit applicants from low socioeconomic backgrounds and districts and from low-performing schools only for the potential demographic dividends (“if doing so would assist in drawing students from different *racial* backgrounds to the institution” [emphasis added]). Socioeconomic and geographic diversity are not emphasized as valuable goals in and of themselves, and thus broad diversity, as delineated by the Supreme Court, is not the objective here. Although the means may be different—and more politically palatable⁴—the goal of this camp is very similar to that of advocates of race-conscious admissions: to boost racial and ethnic diversity.

The problem, however, is that class is not a good proxy for race and ethnicity because the majority of poor applicants are white. Thus, this strategy is unlikely to boost racial and ethnic diversity, as demonstrated in chapters 7 and 8.

Rationale 3: Use Class to Promote Socioeconomic Diversity

Only the third camp insists that advancing socioeconomic diversity and social mobility is a compelling goal in its own right. This group does not see class-based affirmative action as merely an indirect approach to promoting racial and ethnic diversity but as a way of expanding opportunity for all groups, thus promoting broad diversity, which they believe is beneficial both on campus and in society. Interestingly, the diversity rationale implemented in the

Supreme Court Bakke ruling—in particular the notion of broad diversity—laid the foundation for the possibility of class-based affirmative action.

Over time elite institutions have been able to enhance racial and ethnic diversity on campus by giving minority applicants special consideration during admissions, but socioeconomically deprived applicants have been given no similar edge that could help offset the depressing effect of home disadvantage on their test scores. Without any preferential treatment, the share of socioeconomically underprivileged students at selective colleges has remained low and has often declined. In their book *Equity and Excellence in American Higher Education*, Bowen and his colleagues ask: “Are the claims of equity really being met today by a policy that gives no positive weight to having come from a poor family—and having somehow overcome all of the attendant barriers in order to compete with a candidate from a very different background for a place in class?”⁵ The rationale here is straightforward: class-based affirmative action is vital because it boosts much-needed socioeconomic diversity at elite institutions and promotes equal opportunity and social mobility.

Nonetheless, for these supporters class-based affirmative action does not have to be race-neutral. Class-based affirmative action could be implemented instead of race-based affirmative action or in addition to it; alternatively, race could be one of many factors considered within a framework of class-based policy. All options are on the table as long as they manage to boost socioeconomic diversity at the nation’s most selective colleges and universities.

The Rationale Is Important

Each of these three rationales for class-based policy has a different goal: the first focuses on abolishing race-conscious admissions and preventing mismatch, the second on boosting racial and ethnic diversity, and the third on increasing socioeconomic diversity. One may think that the motivation for implementing a class-based policy is not important as long as the outcome is desirable, but this is not true for several reasons.

First, the logic and intentions behind a program are crucial for mobilizing and sustaining public support. How do the three rationales for class-based affirmative action compare in this respect? Advancing socioeconomic diversity and social mobility is valued in many societies, especially in the United States, while promoting racial and ethnic diversity is less universally valued and more controversial.⁶ A class-based policy that is packaged to promote

broad—with an emphasis on *socioeconomic*—diversity at America's bastions of privilege is likely to have strong public appeal (the third rationale).⁷ Moreover, in pushing for socioeconomic diversity, the camp pushing for socioeconomic diversity is most attuned to the seismic shifts that have occurred in the United States in recent decades: rising economic inequality, stymied social mobility, and the growing class divide in higher education. Many Americans have firsthand experience with these shifts and are likely to support a policy that attempts to address them—even if the main beneficiaries would be black and Hispanic—as long as they agree with the rationale. They would not support a move from race to class in affirmative action just because there are problems with race-conscious admissions (as suggested by the first and second rationales) if such a move did not promote socioeconomic diversity as a strong *raison d'être*.

To illustrate this point, consider the race-neutral, class-based admissions policy implemented in Israel in the mid-2000s (discussed at length in chapter 6). Although Arab applicants to university benefit greatly from this policy, its goal is not to boost ethnic diversity, nor are applicants' disadvantages used simply as a proxy for ethnicity. If this were the case, there would be little support for the program. In fact, there is little opposition to the program because the diversity dividends of the Israeli policy are so broad (described in Chapter 7).

Second, the rationale for a class-based policy is important because it dictates how the program is set up to achieve its goals—that is, the rationale determines program *design*, and different rationales lead to different designs. For example, if the second rationale (the Trojan Horse) is the working rationale for implementing class-based policy, then the target design would be a race-neutral tool that yields the highest share of blacks and Hispanics. Let's say that we are deliberating between targeting students from high-poverty high schools (with a high share of poor students) and targeting those from poor families. Let's also say that 80 percent of students in high-poverty schools are underrepresented minorities, but that only 50 percent of students from poor families are minorities. If our main goal is to increase racial and ethnic diversity, then the choice is clear: the edge should be given to students from high-poverty schools. However, if the motivation is to boost socioeconomic diversity at elite colleges, then we would base the policy on the demonstrated disadvantages of individuals, and coming from a poor family would be one of them. Thus, different motivations behind class-based programs lead to different program designs that target different groups of applicants.

Finally, the rationale also determines how we evaluate a policy's success or failure. From a Trojan Horse perspective, class-based affirmative action is successful if it maintains the share of URM at the country's elite schools; such evidence will not suffice to determine whether the policy is successful if it was implemented to promote socioeconomic diversity. Thus, our perception of the success of class-based affirmative action is tied to the rationale for implementing it in the first place.

Thus, while the different rationales for race-conscious admissions—be it reparation, diversity, or equal opportunity—may lead to a similar program design (an edge in admission for minority applicants), different motivations for class-based policy can render very different designs. In other words, there is one way to implement race-based affirmative action, but there are multiple roads to class-based affirmative action. The rationale behind class-based policy is important for pinpointing goals, and having clear goals is essential for the proper design and evaluation of this policy (or any public policy for that matter). The ambiguity in the public debate about what type of diversity is needed at elite institutions is a prime example of unclear goals complicating the discussion of how best to design an effective affirmative action policy.

PROTOTYPES OF CLASS-BASED AFFIRMATIVE ACTION

Many assume that the shift from race to class in affirmative action policy would be relatively straightforward—that the only difference between class- and race-based policy would be the eligibility criteria. This belief is nurtured by the lack of hands-on experience with large-scale class-based programs in the United States and elsewhere. But class-based models are vastly different from race-based policy. Not only do race and class prototypes draw on different justice paradigms and generate different dividends for diversity and mobility, but there is also great variation among the class-based models themselves.

The race-based affirmative action policy currently in place in elite college admissions in the United States and several other countries is a prototype that adheres to the notion of macrojustice, in that the main criterion for eligibility is affiliation with a particular group, specifically, a racial or ethnic group. Under this paradigm, every individual who is part of a historically disenfranchised group is entitled to some compensation, regardless of individual experience; inequality and discrimination have been generated at the societal level,

so the correction or redistribution must also occur at the macro level.⁸ This model of affirmative action is also need-blind in that an applicant's economic standing is not considered in determining eligibility.

There is only one major prototype of race-based affirmative action, but there are several models of class-based policy. To clear some of the ambiguity surrounding the concept of class-based affirmative action, I suggest the following definition:

For a policy to qualify as class-based affirmative action, it needs to give an *edge* in admissions to applicants from *underprivileged* backgrounds, defined by personal or contextual deprivation. Thus, the outcome of class-based affirmative action is a *boost* in the representation of *underprivileged* populations in a student body.

The term “underprivileged” here refers to circumstances in individuals’ backgrounds—such as coming from a poor family, being the first in the family to go to college, residing in a poor neighborhood, or attending a low-performing high school—that are likely to have a depressing effect on their ability to exploit their own academic potential. There are several ways to characterize “underprivileged,” and each leads to a different type of class-based affirmative action.

This section describes the three main prototypes of class-based policy. As we shall see, each adheres to a different justice paradigm, is based on different eligibility criteria, and may yield different diversity and mobility dividends. These prototypes also vary with regard to ease of implementation, but all are more difficult to implement than race-based policy. I consider some of the pros and cons of each model, the trade-offs between them, and the practical concerns that arise from each. Together, the race-based model and the three class-based models—four prototypes in total—are the pillars of affirmative action policy around the world. Table 5.1 presents the full typology of affirmative action policy and summarizes the characteristics of each class- and race-based model.

Prototype 1: Socioeconomic Affirmative Action

The most popular conception of class-based affirmative action is one in which eligibility depends on family income; some versions of this model also

Table 5.1 A Typology of Affirmative Action Policies

		Prototype		
		Race	Class	
			1: Socioeconomic	2: Structural
				3: Multidimensional
Justice paradigm	Macro	Micro	Macro	Micro, macro
Group affiliation or individual attribute	Group	Individual	Group	Individual, group
Eligibility	Ascribed trait	Socioeconomic status	Structure	Socioeconomic status and structure
Selection criteria	Race, ethnicity, and caste	Parents' educa- tional attain- ment and in- come	Neighborhood and school	Parents' educa- tional attain- ment, income, neighborhood, and school
Ascribed charac- teristic	Yes	No	No	No
Race-neutral	No	Yes	Yes	Yes
Need-based	No	Yes	No	Yes
Consider opportu- nities for learn- ing	No	No	Yes	Yes
Ease of implemen- tation	Easy	Challenging	Easy	Challenging
Creaming	Yes	No	Yes	No
Expected diversity outcome	Demographic	Socioeconomic	School/geo- graphic	Socioeconomic and school/ geographic

Source: Author's calculations.

take parental education into account. Targeting family income alone would best be classified as *economic* affirmative action; if we also consider parental education, then technically we have *socioeconomic* affirmative action. In practice the term “socioeconomic affirmative action” is often used to refer to both of these models, and for the sake of parsimony I do the same in this book.

Both versions of this prototype draw from the same justice paradigm: microjustice. According to this outlook, individuals—not groups—suffer injustice. Thus, compensation should be based only on the demonstrated disadvantage of individuals.⁹ This design is supposed to relieve the “creaming” problem—the grievance that race-conscious admissions benefit the most privileged among underrepresented minorities.

Despite its conceptual appeal, the most reliable simulations of this model suggest that socioeconomic affirmative action cannot match the level of racial and ethnic diversity produced by race-sensitive admissions.¹⁰ Moreover, these policies may be limited by the small pool of applicants from socioeconomically disadvantaged backgrounds whose academic performance is close enough to the admission thresholds of selective colleges to qualify for affirmative action. The depressing effect of poverty on children’s potential and academic achievements simply tends to be too big and too widespread. Even if we decide to go this route, the number of high-achieving yet socioeconomically underprivileged applicants may be too small for this policy to be practical. Race-based policies are less prone to such shortages because they draw largely on middle- and upper-class minorities, who are more likely to have high academic achievements. This is the flip side of the creaming problem. The comparative investigation in this book examines these problems.

Another challenge posed by this model is implementation: determining an individual’s race is much more straightforward than measuring socioeconomic status. To implement a program that targets socioeconomic status, either alone or in addition to other characteristics, several questions must be considered, including:

1. *What are the relevant indicators for eligibility?* Should we use family income or parental education, or both? Should we include other indicators of poverty? Of wealth?

2. *What should be the thresholds for eligibility?* Family income of \$50,000? Less? More?
3. *What should be the weight of each indicator?* For example, what is more important: family income or parental education?
4. *How do we collect the wide array of sensitive information and verify accuracy?* Self-reports of family income by applicants are generally considered neither accurate nor sufficient.

Determining an individual's race is based on a box checked at the application form, while determining an individual's socioeconomic status requires collection and verification of a large number of indicators about his or her underprivileged background, either personal or contextual. I elaborate on the feasibility and implementation of the various class-based models in the final chapter.

Prototype 2: Structural Affirmative Action

The structural prototype of class-based policy uses the deprivation in an applicant's surroundings—for example, a poor neighborhood or a low-performing or high-poverty high school—as the criteria for eligibility. This design is theoretically based in the long tradition of sociological research that links social structures, such as neighborhoods and schools, to youth achievement and educational outcomes.¹¹

Neighborhoods vary in terms of their characteristics. There are differences in the strength and size of the local labor market, municipal services, child and family institutions, social organizations, and normative environments, as well as in poverty level, population composition, and marriage opportunities. These neighborhood characteristics affect overall school quality in that they are intimately tied to the financial resources of local schools, the quality of teachers, the learning environment, and school curricula and services. As a result, schools vary greatly in the learning opportunities that they provide their students, whose scholastic gains are shaped by the quality of those opportunities. Young people who reside in poor neighborhoods or attend bad schools also simply have fewer opportunities to excel compared to young

people in more nurturing environments. This is called the “neighborhood effect.”

In addition to directly targeting youth with structural disadvantages, the structural model of affirmative action also attempts to capitalize on the overlap between spatial boundaries and categorical inequality. Because poor neighborhoods and failing schools tend to be populated by many kinds of disadvantaged groups—including racial and ethnic minorities, recent immigrants, and the poor—targeting individuals with structural disadvantages indirectly targets blacks, Hispanics, the poor, and other disadvantaged groups.¹² Thus, to the extent that structural inequality overlaps other systems of inequality, this model could yield geographic and demographic diversity in addition to benefiting underprivileged applicants.

This logic underlies some of the recommendations by the Departments of Justice and Education in their recently published guidelines, which encourage colleges to give special consideration to applicants’ structural disadvantages:

Example 2: An institution could include in its admissions procedures special consideration for students who have endured or overcome hardships such as marked residential instability (e.g., the student moved from residence to residence or school to school while growing up) or *enrollment in a low-performing school or district* [emphasis added].

Example 4: An institution could select schools (including community colleges) based on their demographics (e.g., their racial or socioeconomic composition), and grant an admission preference to all students who have graduated from those schools, regardless of the race of the individual student.¹³

Theoretically, structural affirmative action is similar to race-conscious admissions in that both models stress group affiliation rather than individual circumstances. The emphasis on group membership is consistent with a macrojustice perspective and facilitates implementation. That is, by focusing on the structure of opportunity instead of on individual adverse circumstances, this model bypasses the need for a complex mechanism of assessing disadvantage at the individual level (as is the case in prototype 1, the socioeconomic model). A key difference, however, is that the criteria for compensation in the structural model are not based on an ascribed trait (gender, race, ethnicity, or

caste). This difference is crucial for the legal implications of such a plan and the public reaction to it.¹⁴ I discuss these issues in greater detail in the final chapter.

Structural-type programs receive little attention in the United States. Elements of the structural rationale have been incorporated into affirmative action programs, however, in a few other countries, such as Brazil, France, and Israel. According to the Law of Social Quotas passed in 2012, Brazil's federal public universities (which are the selective universities) are required to reserve at least half of their slots for students from public high schools, which tend to serve a poorer population and to be lower-performing than the country's private high schools. This program is not strictly structural in that it also considers race and family income. Technically, then, the Brazilian program should probably be classified under the multidimensional prototype of class-based affirmative action (prototype 3) because it also includes individual criteria. Nonetheless, I mention the program here because its structural aspect is very strong.

In 2001 the Institut d'Études Politiques de Paris in France (known as Sciences Po) implemented a structural-type admissions program—specifically, a preferential treatment program for students from high schools serving disadvantaged areas in France.¹⁵ Students from these schools were exempted from taking the competitive admissions exam and were asked to write an essay instead. The final selection was made following an interview, and those selected were given financial aid and tutoring. The program design is interesting, and the structural aspect is very strong, yet the small scale of the initiative (so far only 860 students have been admitted to Sciences Po through this admission program) makes it hard to determine its success.¹⁶ Moreover, several main features of the design—the handpicking of beneficiaries, the guaranteed financial aid and tutoring, and the test waiver—limit its potential for replication on a large scale.

Finally, the affirmative action policy in place at the top universities in Israel is a paragon of the type of class-based policy that emphasizes structural disadvantages. Although certain individual hardships are also considered in this program, eligibility relies most heavily on high school type and neighborhood of residence. Moreover, it is an example of a class-based policy that is entirely race-neutral and need-blind. This policy is discussed in great detail in the next chapter.

Prototype 3: Multidimensional Affirmative Action

The third prototype of class-based affirmative action is the multidimensional prototype, which combines aspects of both the socioeconomic and structural models (prototypes 1 and 2). It targets both individual and structural disadvantages, thus combining the notions of microjustice and macrojustice. Proponents of this prototype argue that one-dimensional conceptions of class are insufficient to capture the complexity of what determines an individual's prospects and life chances. They contend that in order to identify what sociologists call the "truly disadvantaged," we must consider a wide array of factors, such as home environment (socioeconomic status and family structure) and structural effects (school composition, neighborhoods, and geographical region) as well as race, ethnicity, and gender.¹⁷ (The term "truly disadvantaged" was introduced by the sociologist William Julius Wilson in 1987, in his book of the same name, to describe poor blacks living in American urban ghettos; the term is used here to describe groups and individuals with multiple aspects of disadvantage.)¹⁸

By taking into account both structures of opportunity (such as schools and neighborhoods) and a wide array of individual socioeconomic hardships (for example, family income, family wealth, and parental education), the multidimensional prototype targets many contours of inequality and addresses the complexity in determining a person's class status. Consequently, there are numerous possible designs for such a program. The Brazilian program is multidimensional because it accounts for high school type, family income, and race. The Israeli program can also be classified as multidimensional because it considers an array of individual hardships in addition to high school and neighborhood type.

In the United States, where there is talk about class-based affirmative action in college admissions but no hands-on experience with such models, some observers suggest that colleges consider all of the following in determining eligibility: parental income, wealth and net worth, parental education, family structure, language spoken at home, neighborhood poverty level, and high school share of minority students. This approach, what academics like to call the "kitchen sink approach," is promoted by The Century Foundation (TCF), a public policy think tank, in several reports published just before and

after the Supreme Court's ruling in the Fisher case, including a report published in 2012 titled "A Better Affirmative Action."¹⁹

This approach, intuitively, seems promising. Richard D. Kahlenberg, a senior fellow at TCF, is an advocate for using a complex multidimensional model for determining eligibility for affirmative action. In fact, the main motivation for implementing such a complex scheme of admissions is to serve as a Trojan Horse for race-conscious admissions because family income, or any other socioeconomic indicator, is not a good proxy for race. He argues that a policy that incorporates an array of socioeconomic factors will be better at generating demographic diversity than one based solely on income. Kahlenberg, who authored several of the Century Foundation reports on the topic, writes that implementing such a design will help universities "equal or even exceed the racial diversity that they have achieved under racial affirmative action programs."²⁰ Unfortunately, these claims have never been tested. There is no evidence for whether the "kitchen sink approach" can boost demographic diversity while yielding wide-ranging diversity dividends, and if so, at what price.

Moreover, this approach to generating diversity has the same limitation as the socioeconomic prototype, only here the potential problem is even more severe: it requires finding enough truly disadvantaged applicants who are academically prepared for the rigor of selective colleges. Once again we must ask the critical question: how many applicants are there who fit this description and have somehow managed to beat the odds? How many high school students from poor families *and* poor neighborhoods *and* low-performing high schools have stellar academic achievements that put them near the threshold of the nation's most selective colleges? Chances are the answer is, not many. If this pool is indeed small, then this model's potential to boost diversity is low.

Finally, even more than the socioeconomic prototype, the multidimensional model is difficult to implement because it requires a wealth of information (especially if following the "kitchen sink approach") that must be verified.

These three prototypes of class-based policy are ideal types whose purpose is to orient the discussion about class-based affirmative action and help us understand its conceptual frameworks. But real policy designs are never as rigid as prototypes, nor should they be. Rather, they should draw from elements of

several models. The exciting programs recently implemented in other countries, specifically in Israel and Brazil, suggest that between the two theoretical poles of micro- and macrojustice, and between the rival modes of race versus class affirmative action, there is a world of possibility—a spectrum in fact—for affirmative action policy in higher education. I revisit this notion later in the book after inspecting the evidence from both Israel and the United States.

MISCONCEPTIONS: WHAT IS NOT CLASS-BASED AFFIRMATIVE ACTION?

As the discourse about class-based affirmative action gains traction, so does the ambiguity surrounding the concept. Now that we have a general picture of what class-based affirmative action is, let's distinguish it from what it is not. For example, many construe percent plans, comprehensive review processes, and certain financial aid policies as class-based affirmative action even though they are not true examples of such. This confusion only impedes the design and implementation of true and effective class-based policies, and so it must be cleared up as we contemplate the move from race to class in affirmative action.

As mentioned in the beginning of this chapter, I hold that for a policy to qualify as class-based affirmative action it needs to give an edge in admission to applicants from underprivileged backgrounds. Thus, the goal of class-based affirmative action is to boost the representation of underprivileged populations in the student body. According to this definition, are percent plans, comprehensive review processes, and financial aid policy forms of class-based affirmative action?

Percent Plans

Since the 1990s, public referenda and lawsuits have led to prohibitions against using race as a factor in college and university admission decisions in several states. In Texas it was the Hopwood ruling in 1992, which affected the state's public universities. In California it was Proposition 209; passed by voters in 1996, it affects all state government institutions. Two years later, voters in the state of Washington passed Initiative 200, banning the consideration of race in college admissions. In 2006 Michigan voters approved Proposal 2, which

outlawed affirmative action based on color, sex, race, or gender in public institutions.

After these laws went into effect, the share of blacks and Hispanics at selective colleges and universities in these states dropped sharply. For example, after California passed Proposition 209 in 1997, the share of black students at UC Berkeley declined by 52 percent, and the percentage of Hispanics by 43 percent.²¹ In an attempt to recover the representation of URM at their flagship institutions, some of these states—namely, Texas, California, and Florida—decided to adopt admission policies that admit a fixed percentage of top students from each public high school in the state. These policies are often referred to as “percent plans.” The expectation was that in states where high schools are highly segregated by race and ethnicity, large numbers of black and Hispanic students would qualify for the admission guarantee.²²

The percent plan in California guarantees all high school graduates in the state who finish in the top 4 percent of their class admission to at least one university in the UC system, but it does not promise a particular campus. Similarly, the Talented 20 Plan in Florida guarantees public high school graduates who place in the top 20 percent of their class after completing required coursework admission to the University of Florida system, but not necessarily to their top school of choice. Under the Texas Top Ten Percent Plan, high school seniors who graduate in the top 10 percent of their class are guaranteed admission to their state university of choice.

Are percent plans a form of class-based affirmative action? To qualify as such, the first criterion is that it must give applicants from underprivileged backgrounds an edge in admissions. A key characteristic of percent plans, however, is that they are applied *uniformly*: by definition, the same rule of admission applies to rich and poor, to blacks and whites, to those from large metropolitan areas and those from small townships. Students from all schools are guaranteed admission as long as they pass the cutoff ranking. The most affluent students from the most privileged neighborhoods get the same consideration as every other student in the state, and applicants from underprivileged backgrounds or from the geographic periphery get no edge in admission compared to other applicants.

The second criterion for class-based affirmative action is that it must boost the share of underprivileged students on campus. Are percent plans successful at raising socioeconomic diversity? The numbers say no. In Texas, for exam-

ple, the enactment of the Top Ten Percent Plan was not followed by a rise in socioeconomic diversity at the state's top state universities.²³ After the plan went into effect, the share of applicants and admits to UT Austin and TAMU (public flagships) from poor high schools in the state dropped.²⁴ The policy was successful, however, at broadening geographic diversity.²⁵

In practice, students from affluent backgrounds are in a better position to take advantage of the program because they are more likely to rank at the top of their class and to have more knowledge about the workings of admission policies. Giving applicants from poor high schools an equal consideration in admission to that received by applicants from rich schools is not enough. A uniform admission regime cannot erase the depressing effect of studying in a poor high school on the ability to exploit one's own academic potential. Without an edge in admission or some kind of special treatment, the likelihood of boosting the level of socioeconomic diversity at elite schools is very low.

Thus, percent plans are not an affirmative action policy of any kind—they are neither race-based nor class-based. They are also not a type of geographic affirmative action because applicants from the periphery receive no special treatment in admissions. (A uniform admissions criterion is applied to both these applicants and applicants from strong neighborhoods.) Given that socioeconomically disadvantaged applicants receive no form of preferential treatment, it is not surprising that percent plans are unsuccessful at producing socioeconomic diversity.

Comprehensive Review Process

Comprehensive review (discussed in chapter 4) is another admission practice that is often mistaken for a kind of class-based affirmative action. Elite private colleges claim to use this “holistic” approach during admissions, meaning that they consider academic achievements in the context of applicants' previous life chances. Theoretically, comprehensive review can surely provide an edge to poor applicants if it is tailored to do so, in the same way that elite private colleges effectively use this process in race-conscious admissions. Nonetheless, the evidence shows that despite their potential to do so, comprehensive review processes, as practiced by elite colleges, do not give appli-

cants from underprivileged backgrounds an edge in admissions and do not increase socioeconomic diversity. Thus, according to the definition, comprehensive review in and of itself is not a form of class-based affirmative action.

Financial Aid

Similarly, an institution's financial aid policy does not qualify as class-based affirmative action because it too does not give applicants from underprivileged backgrounds an edge in *admissions*. To be sure, financial aid is a form of class-based policy in that it is sensitive to a student's economic ability to pay for college, and it is conducive to raising the share of poor students at elite schools. Yet it is not a form of *affirmative action* because it eases financial constraints only for those applicants who have already gained admission and does not deal with the main barrier to college admissions: academic qualification. Generous financial aid is essential to ensure the success of affirmative action policy, yet without a policy that helps underprivileged applicants at the admission stage, its ability to boost socioeconomic diversity at bastions of privilege is quite limited.

In conclusion, none of the three policies—percent plans, comprehensive review, and financial aid—qualify as class-based affirmative action. They do not favor underprivileged applicants during the admissions process and thus are not effective tools to boost broad diversity.

CONCLUSION

This chapter has outlined the conceptual underpinnings of the three main models of class-based policy in college admissions. The question that naturally arises is what kind of outcomes would these class-based models yield in terms of both diversity and mobility, and how would these outcomes compare to race-based policies? The answers will help determine whether a shift from race to class in affirmative action in U.S. college admissions is desirable at this critical crossroads. The next step, then, is to move the discussion about affirmative action beyond the theoretical sphere and to start examining the evidence.