

Race on Campus

Debunking Myths with Data

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Why Affirmative Action Is Good for Asian Americans

ON AUGUST 1, 2017, America woke up to the news that the US Department of Justice was planning to investigate whether colleges and universities were discriminating against White students through their affirmative action policies.¹ A chill went through educators and policy makers nationwide. The same heavy-handedness that had imposed a sweeping travel ban, threatened to drastically limit immigration, and sought to ban transgender people from the military was now ready to make a hit on education policy. Despite the Supreme Court affirming race-conscious admissions policies twice in recent years, eliminating affirmative action was still on the conservative agenda.*

*I served as a consulting expert for The President and Fellows of Harvard College (Harvard Corporation) ("Harvard") in connection with the matter of *Students for Fair Admissions, Inc. v. Harvard*, Civ. Act. No. 1:14-14176. The views and opinions expressed here are my own and do not reflect Harvard's views or information learned from Harvard in the course of my consulting work.

A later statement from the Department of Justice clarified that the Trump administration was recruiting attorneys to work on a specific strand of the affirmative action debate. According to spokeswoman Sarah Isgur Flores, "The posting sought volunteers to investigate one administrative complaint filed by a coalition of 64 Asian American associations in May 2015 that the prior Administration left unresolved . . . The complaint alleges racial discrimination against Asian Americans in a university's admissions policy and practices."²

Asian Americans? For years, the strategy to challenge affirmative action in the courts was to recruit a White female plaintiff who had somewhat mediocre or above-average-but-not-stellar academic credentials and then sue some university. After noticing that it didn't work in *Grutter*, *Fisher I*, or *Fisher II*, Edward Blum, the mastermind behind both *Fisher* cases who also tried to dismantle the Voting Rights Act in his spare time, decided to change tactics. He set up a website featuring an Asian American student staring pensively into the distance, accompanied by the headline "Were You Rejected by Harvard? It May Be Because You're the Wrong Race."³ In case that message was too subtle, the insignia on the website's top left corner blared: "HARVARD UNIVERSITY: NOT FAIR."

My only surprise is that it took the anti-affirmative action movement decades to realize that Asian Americans with SATs of 1500-plus, stellar GPAs, and many quality extracurricular activities (They read to the elderly! They fund-raise for NPR! They train drug-sniffing dogs!) make for a stronger challenge to race-conscious admissions policies than White folks with B averages. (When they say that Asian Americans are "invisible" in American society, they really mean it.) You know it was bad when Twitter erupted with the hashtag #beckywiththebadgrades to celebrate after the Supreme Court ruled against Abigail Fisher for the second time in *Fisher II*. Not super nice, but they had a point.

#beckywiththegoodgrades, aka the Asian Americans that Ed Blum and company recruited to sue Harvard through the lawsuit *Students for Fair Admissions v. Harvard*, might make a more sympathetic plaintiff than

Abigail Fisher, but the deeper problem remains—just because students have great grades, test scores, accomplishments, and experiences doesn't mean that anyone is guaranteed admission into Harvard or any other highly selective institution.

The anti-affirmative action movement would have you believe that this is because Asian Americans are penalized by race-conscious admissions policies, disadvantaged by affirmative action, and rampantly and intentionally discriminated against in the selective college admissions process. It's a compelling and heartbreaking story. The problem is that it's misleading and wrong.

In this chapter I address the prevailing myth that Asian American kids are systematically discriminated against in college admissions and that the way to prevent this is to get rid of race-conscious affirmative action. I also address the related myths that Asian Americans are uniformly disadvantaged by any system that considers race and that they would be best served by a system that eliminates the consideration of race/ethnicity. Finally, I talk about ways that race-conscious admissions actually works to the benefit of Asian Americans, universities, and society. To note, some of the issues I'll reference—the Harvard lawsuit and other ongoing litigation—are pending as I write, and who knows what the state of affirmative action will be by the time you read this book. Regardless of what happens with the courts, this chapter will help you understand the issues in a more complex and nuanced way.

THE ANTI-AFFIRMATIVE ACTION MOVEMENT: FACTS OR FEAR-MONGERING?

Proposition 209, the 1996 ordinance that banned race-conscious admissions in California, has been devastating to the enrollment of URM students at many of the highly regarded University of California campuses. At Berkeley, African American enrollment was at just 2.5 percent in the fall of 2016.⁴ In comparison, thanks to aggressive outreach, UCLA is

somewhat higher after record lows for many years, to 4.8 percent in the fall of 2016. That percentage might not seem that great, but in 2006 there were only one hundred African American freshmen. One hundred out of 4,811 first-year students!⁵ The slight growth in UCLA's numbers conceals continuing inequities: a disproportionately high percentage (65 percent) of Black male undergraduates are athletes, and Black males make up a very slim portion (1.9 percent) of the overall male enrollment.⁶ Similarly, UC San Diego can boast that African American enrollment has risen 150 percent in the last ten years, from 1 percent in 2006 to a whopping 2 percent in 2016.⁷ Yikes. Why are these numbers so low when half of California public school graduates are either African American or Latinx?⁸ To make things worse, Prop 209 has created a negative cycle wherein some suspect that the Black students who actually are accepted to UC institutions are increasingly turning down offers due to the negative racial climate of various campuses.⁹

This all had the opportunity to change. In 2012 Senate Constitutional Amendment 5 (SCA-5) was introduced, which proposed allowing, but not requiring, consideration of race/ethnicity in California's public higher education for admissions, recruitment, and retention initiatives. It didn't mean admitting on the basis of race/ethnicity (illegal) but simply allowing admissions officers to know a student's race/ethnicity and take it into account in understanding the profile of a student. A grassroots campaign opposing SCA-5 erupted in 2014, and, to the surprise of many, it was spearheaded by subsets of the Asian American community—in particular, more recent immigrants from mainland China. Heavy pressure was put on Asian American legislators who had already signed on to SCA-5 to withdraw their support for the amendment. Eventually, several Asian American legislators got the vote indefinitely tabled, and SCA-5 was seen as dead in the water.

Arguably, the anti-SCA-5 campaign was rooted in fearmongering and misinformation about what bringing race-conscious admissions would mean for Asian Americans in particular. Words like "quotas," "bans," and

"ceilings" on Asian American enrollment—all of which are illegal, by the way—were used in articles circulated online and in the ethnic media, preying on many people's fear that the system was somehow stacked against them. One letter written by a child to his local congressman that went viral summed up the fears well: "Dear Congressman Maienschein. My name is [deleted]. I am 8 years old . . . I want to be able to go to college in California when I grow up. Please help stop SCA-5. I don't think it's fair if I can't go to college in California just because I'm Asian American. Sincerely, [name deleted]." ¹⁰

Where did this confusion and misinformation come from? Part of it likely stems from misunderstandings of how selective admissions works in the United States and in the UC system. Here, universities perform a holistic review of an applicant in the local context of the educational opportunities provided to them and consider numerous criteria, such as essays, extracurricular achievements, demonstrated leadership or grit, teacher recommendations, and the like. In Asia, though, college admissions is generally determined by a single test score, a practice that reflects the belief that SAT scores (the presumed equivalent of the "big test" in Asian countries) reign supreme. In turn, an extensive test prep industry has sprung up in areas with high concentrations of Asian Americans. ¹¹ So I can understand why the idea of reintroducing race into the UC admissions system was worrisome to some Asian Americans, particularly those who more recently came from East Asia, where no equivalent system exists. ¹² More recent immigrants may also be less familiar with the history of inequality and disenfranchisement that continues to affect educational opportunity for URM students in California.

Race-conscious admissions has nothing to do with quotas or ceilings on any racial/ethnic group; such measures are explicitly illegal and have been since the *Bakke* Supreme Court decision in 1978. Yet, to someone from another country, one where the culture is so heavily constructed around a single make-or-break test score, hearing that race/ethnicity could have any sort of role in college admissions would be alarming.

140 POINTS: RESEARCH TAKEN OUT OF CONTEXT

Another big factor in the SCA-5 drama was how research by Thomas Espenshade, Alexandria Walton Radford, and associates went viral. In 2009, Espenshade and Radford published their study of eight institutions, the National Study of College Experience, in the book *No Longer Separate, Not Yet Equal: Race and Class in Elite College Admission and Campus Life*. In a chapter provocatively titled “What Counts in Being Admitted?” the part that went viral was a finding that Asian Americans supposedly had to outscore Whites by 140 on the SAT to be admitted to a selective private college or university and that African American students had the equivalent of a 310 point boost and Latinx students a 130 point boost in comparison to White students.¹³ The authors also found that, all other things held equal, in 1997, 1 in 5 Asian Americans was accepted into the sample institutions, versus 1 in 3 for other racial/ethnic groups.¹⁴ The “140 points” statistic went viral. And, as you can imagine, some Asians were not happy to hear this.

I can understand the outrage. A standardized test presumes fairness or equity: everyone has the same chance to study for and take the test. (Or do they? I’ll discuss this later.) It gets measured and evaluated the same no matter who takes it, thanks to ScanTron. So wouldn’t it be blatantly unfair if Asian Americans were being docked 140 or however many points on the SAT—those hard-won points earned through late nights of studying and trudging to prep classes in the summer—just to compete at the same levels as Whites?

The problem is that Espenshade and Radford’s study has been interpreted in ways that reach beyond the limits of what the actual study is able to say because of its sample and design; accordingly, the authors note that their findings are not proof that colleges are discriminating against Asian Americans. All research studies have limitations, ways they are not able to account for every single relevant factor. There are also limitations to how much findings can speak to actual conclusions or recommendations for

policy. With their numbers and confusing statistical methods, research studies can easily have the air of authoritative impenetrability, but it is far too easy for people to jump to conclusions that don't actually match what the data are able to speak to. In these cases, readers may overgeneralize the findings of a study beyond the researchers' original intent.

The Espenshade and Radford study examines the probability of admission using students from eight institutions, a decent spread but not necessarily representative of all selective institutions.¹⁵ The authors took into account things like a student's class rank, GPA, SAT score, and number of Advanced Placement tests taken. However, admissions officers use a broader slate of factors that Espenshade and Radford did not include in their analysis, such as essays, teacher recommendations, extracurricular activities, leadership experiences, potential for leadership, and high school quality. When it comes to extracurricular activities, it's not just counting the number of leadership positions held; it's looking with a nuanced eye at the quality of experiences, what meaning a student is able to derive from the experience, and the like. It's weighing how to evaluate a low-income candidate who didn't have time to play varsity sports but spent twenty-five hours per week bagging groceries while helping take care of a sick relative. It's reading between the lines to decide if a student is trying to check off the boxes by doing community service or is the type of person who is will make it a lifelong commitment. It's also evaluating the opportunities a student had to engage in their activities or accomplishments—does it mean more when a student did some of these things when they weren't allowed to take the school's textbooks home versus a student whose compelling service trip to South America was bankrolled by their parents?

My point in all of this (other than acquainting you with how incredibly hard an admissions officer's job can be) is to show all of the stuff that Espenshade and Radford's analyses weren't able to account for. But if you don't trust me, take it from the man himself. When interviewed about the subject, Espenshade stated, "I understand the worry of Asian students, but do I have a smoking gun? No."¹⁶ In another interview, he said: "This

doesn't mean there is discrimination [against Asian Americans]. We don't have access to all the information an admissions dean does. We don't have extracurriculars. We don't have personal statements or guidance counselors' recommendations. We're missing some stuff."¹⁷

So, does this mean that Asian Americans in some way have worse nonstandardized accomplishments and achievements than non-Asian Americans?¹⁸ Not necessarily, but other factors may be at play. As a former admissions reader who spent many years reviewing applications to the UC system, Oiyen Poon, a professor at Colorado State University, "often noticed patterns in the ways many applicants presented their essay narratives. For example, I commonly read essays by Asian American applicants about their families' immigration experiences that celebrated how their parents or grandparents overcame adversities but did not focus on the student's personal experiences and accomplishments. As a result, such essays did not present information about the student that I, as an evaluator, could score."¹⁹

As Espenshade himself said, his data is no smoking gun, and nuances in how Asian American students talk about their own experiences might account for some of the discrepancies. What we can say from Espenshade's data is that when you don't account for nonstandardized metrics, Asian Americans admitted to institutions in the dataset have SAT scores that are significantly higher than their White, Black, and Latinx counterparts. But that doesn't necessarily mean that Asian Americans need higher SAT scores to get into particular institutions. They have them, yes, but having and needing are two different things.

Asian Americans have higher SAT scores likely because participation in SAT preparation is exceptionally high among East Asian American subpopulations, a trend that cuts across social class for certain subgroups. In a study I did of college students, 46.7 percent of low-income Korean Americans took a SAT preparation class, as compared to 42 percent of their rich White peers.²⁰ Take a second to absorb that—I'll discuss it in the next chapter on SAT prep.

Regarding SAT prep, there's a lot of it going on in East Asian American communities. Part of this is in response to the idea that Asian Americans *need* higher SAT scores (versus *having* higher SAT scores, on average), which creates a vicious cycle where everyone is studying harder because of the self-perceived *need* to keep up with the Joneses (or the Changs).²¹ The forces behind this pattern are complicated, but many Asian Americans exist in a world where there is heavy socialization around the importance of standardized testing. It's a unique combination of having connections to Asia, where everything rises and falls on a single test, the availability of test prep options due to the ethnic economy, immigration patterns, and the complicated set of expectations that have come to be associated with being Asian American.²² Sociologists Jennifer Lee and Min Zhou refer to the latter as the "success frame," a set of cognitive frames that influence what Asian Americans, and East Asian Americans in particular, have come to see as normal and expected behavior.²³ There is no mystical Asian value around education.²⁴ Rather, a complicated set of norms and expectations connect to waves of immigration, the communities built by immigrants, and the external pressures of a racialized and, arguably, racist society.²⁵ The wave that "set the pace" for much of this was a subset of post-1965 Asian immigrants who were highly educated, not a random sampling of the Asian population. You can imagine that these post-1965 cohorts had high expectations for their kids, which was probably more of a by-product of social class than some innate, mysterious formula for Asian success. However, as explained by Lee and Zhou, over time these expectations became linked with race/ethnicity, creating a set of expectations and norms internalized by many Asian Americans—even if they may not live up to them.²⁶ After all, 40 percent of Asian Americans attend not Harvard but community colleges.²⁷ Additionally, these expectations were reinforced by society through the rampant stereotyping of Asian Americans as being academically successful—a.k.a., the model minority myth, which also works to denigrate other minority groups ("Why can't you be successful like Asian Americans?").²⁸

So yes, Asian Americans *have* higher test scores. Do they *need* them? Yes and no. Everyone needs some sort of decently high score to signal to colleges that “I’m pretty good” (as in, “I can take a test and do pretty well at it because, hey, college has a lot of tests”). But does any test score guarantee admission to an elite institution? Absolutely not. The false rhetoric around Asian Americans needing a certain test score to get into an institution promotes the misconception that there are basically minimum cut-off scores for each racial/ethnic group and that the score for Asian Americans is higher. This idea is patently and deeply false. Again, remember that Espenshade and Radford dispute claims that their research is bulletproof evidence that discrimination exists against Asian Americans in the college admissions process. In their book they note plain and simple: “With the information at hand, however, we are not able to settle the question of whether Asian applicants experience discrimination in elite college admissions.”²⁹

COGNITIVE BIASES AND WHY “140 POINTS” WENT VIRAL

An interlude to consider what research can tell us about why the rumor of Asian Americans experiencing discrimination in admissions took off, to the point of “140 points” becoming a widely spread piece of misinformation—how and why did this soundbite go viral? I’ve walked you through the reasoning behind why the idea is misleading. Blah blah statistics blah blah interpretations don’t match the data or research design blah blah. All of that is true and good; but to be honest, most people don’t pay close attention to the alignment between research design and subsequent interpretations. What they do pay attention to are nuggets of information that match their existing suspicions about how the world works—*confirmation bias*, which is a widespread form of cognitive bias.

Unpacking confirmation bias can help us think about why the “140 points” bit took off. There are some decent reasons why, even prior to

Espenshade and Radford, folks in the Asian American community wondered if there might be some form of discrimination against them in admissions. Even those who recognize the diversity of the community are not immune to internalizing the model minority stereotype: there are all of these so-called Asian Whiz Kids, yet some of them are getting rejected from top schools—something must be wrong! Not to mention that there actually were documented cases of this happening in the 1980s, when there actually were ceilings and caps put on Asian American applicants at UCLA. Even though these cases were condemned and the corresponding federal investigation sent a loud message that these policies were unacceptable, people still wonder, Is it happening? And last, there is some level of suspicion among many Asian Americans that they do have to work harder than White folks to reach the same level of accomplishment, or that their accomplishments are not always rewarded in the same ways that White people's are. Besides the existence of the bamboo ceiling or general stereotypes of Asian Americans as not being leadership material, this last one actually has some backing in the data, and not just for the well-educated. Sociologists ChangHwan Kim and Arthur Sakamoto found that even less-educated Asian American men earn less than their White peers with the same levels of education.³⁰

So put all of that together and what do you have but chunks of the community that are pretty receptive to ideas around Asian Americans being discriminated against in admissions. Hence, fertile ground for the occurrence of confirmation bias when the Espenshade and Radford study came out. Even though Espenshade himself said that the data were not evidence of discrimination, many assumed it was. The data and their aura of authority as "research" were enough to confirm the hunches that some folks already had about the admissions system being stacked against them. Really, the surprising and amazing thing is that so many Asian Americans support affirmative action to begin with—generally at least 50 percent in national polls and as high as in the 60–70 percent range in iterations of the National Asian American Survey.³¹ So

the assumption that Asian Americans uniformly disagree with policies like affirmative action, which were founded to advance racial justice, are unfounded. The data tell us a different story about who Asian Americans are and what they support.

Alright, so that's how confirmation bias works. So how do ideas, and in some cases faulty ideas, spread? A helpful concept is the *availability cascade*, coined by Timur Kuran of Duke University and Cass Sunstein of Harvard. As explained in their paper published in the *Stanford Law Review*: "An availability cascade is a self-reinforcing process of collective belief formation by which an expressed perception triggers a chain reaction that gives the perception of increasing plausibility through its rising availability in public discourse."³² Kuran and Sunstein describe this process as mediated by the availability heuristic, where "the probability assessments we make as individuals are frequently based on the ease with which we can think of relevant examples."³³ In short, the accumulation of a critical mass of people who come to see a particular belief as memorable and feasible due to the availability heuristic triggers an availability cascade, wherein certain ideas seem more likely or possible due to their increasing visibility (or "availability"). You can think of it as a fancy version of mental peer pressure, or groupthink (another cognitive bias), but with more specificity around how the different mechanisms are triggered. While Kuran and Sunstein discuss the availability cascade largely in the context of financial risk and regulation, they point out that it is helpful for explaining things like the rise and fall of McCarthyism, various social movements, and, yes, the rise and subsequent public opposition to affirmative action.³⁴

In the case of the spread of the "140 points" hysteria, Espenshade and Radford's research (or rather, research misinterpreted and taken out of statistical context) was seen as evidence of some preexisting hunches that Asian Americans were getting the short end of the stick, which already existed within parts of the Asian American community. For people unfamiliar with the selective university system of holistic admissions, the idea that any group needs a higher SAT score would naturally seem

inappropriate—a grave injustice. “140 points” is a short, snappy soundbite that easily lent itself to being repeated in community networks, ethnic news outlets, and social media. A prime example of the availability heuristic, where something easy to recall becomes seen as not just possible but true.

Additionally, when the SCA-5 debacle exploded, there were other recent developments that promoted the idea of discrimination against Asian Americans in admissions. A big one was Ron Unz’s 2012 article in the *American Conservative* claiming there were anti-Asian quotas in the Ivy League (and, of course, it included the 140 points tidbit).³⁵ Unz spent a lot of the piece making the case that Asian Americans were the “New Jews,” a comparison that drives me crazy given that the holistic admissions process of today is a wholly different ballgame than it was during the time of anti-Jewish quotas. But yes, the idea of Asian Americans as the New Jews has caught on because, you know, if it rhymes, it must be true! A quick Google search for “Ron Unz Asian Americans” shows articles in the *New York Times*, *Chicago Tribune*, *Cornell Sun*, *Boston Globe*, *Chronicle of Higher Education*, *Forbes.com*, *Atlantic*, and a slew of other publications. While not all of these pieces espouse agreement with Unz, I list them to show how the article—which is full of painfully faulty logic—played a role in seeding the ground for an anti-affirmative action campaign spearheaded by a portion of the Asian American community. The availability cascade was at work as more and more voices chimed in. (And if more people are saying something, it must be true, right? C’mon, you know better than that.)

The anti-SCA-5 movement launched in 2014 and played a significant role in making Espenshade and Radford’s work, as well as Ron Unz’s spurious claims, go viral. In November of that same year, Students for Fair Admissions (SFFA) filed their lawsuit against Harvard University. The cascade was in full swing. Since then there has been a back-and-forth between the anti- and pro-affirmative action camps of the Asian American community. When the anti camp presented a statement with sixty signatories, the pro camp came back with 135 organizations signing on supporting

affirmative action.³⁶ Despite the seeming groundswell of Asian American opposition to affirmative action, national polling data continue to indicate that the majority of Asian Americans support affirmative action.³⁷

MORE THAN TEST SCORES AND CLASS RANK: THE IMPORTANCE OF HOLISTIC ADMISSIONS FOR ASIAN AMERICANS (AND EVERYONE ELSE)

The dominant narrative is that affirmative action and holistic admissions hurt Asian Americans. But can they help them? More specifically, can affirmative action and holistic admissions practices help Asian Americans who have special traits and talents gain acceptance? The beauty of a system where there are no SAT minimum scores is that it leaves the door open for Asian American students (or any student) who may not have the 1600 but show potential beyond their ability to ace a standardized test. There are no minimum SAT scores to get into an institution—SAT scores are just one part of a bigger package.

On average, Asian Americans applying to elite institutions have relatively high test scores, but that isn't always the case. Harvard alum Jeff Yang wrote an op-ed for *CNN.com* about how he and his younger sister were able to sneak a look at their files, thanks to his sister's on-campus job in Harvard's admissions office.³⁸ Yang's sister was miffed to find that, despite her strong grades and high test scores, she was a "marginal" admit and had been bumped over the line because she had an older brother already enrolled and in good standing. Interestingly, Yang's test scores and grades were lower than his sister's. So what got him into Harvard in the first place?

What saved my application was the optional interview I'd done on campus, in which I'd ended up talking about everything that wasn't in my application: My aspirations to be a writer. The horror movie that I'd scripted and shot in secret at our high school. The subtle

differences between anxiety, suspense and fear. The fact that I actually really, really suck at piano. The interviewer made the case that I had intangibles that made me a potential asset to the student body, and pressed for me to be considered seriously, despite my middling distinction. Someone decided to take his advice. I hope they didn't end up regretting it.

Yang went on to start *A Magazine*, the first magazine covering Asian Americans with national distribution in major retailers, and he now writes a column for the *Wall Street Journal*. I'd say that Harvard made a good call.

Likewise, I remember the surprise at my own suburban high school every year when we found out if anyone made it into the "big-H." Rarely was the honoree someone who fit the "perfect test score, valedictorian" profile of the students highlighted in the *SFFA v. Harvard* lawsuit, although Asian Americans were definitely among the admitted. My sister's close friend Eddie, multiracial Vietnamese in heritage, was one of them. When talking about the most studious kids in the class, my sister never mentioned Eddie. But when it came to who was the most creative and unconventional, he was definitely mentioned. He wasn't without conventional accomplishments, but he was about as far away from the valedictorian/community service machine/piano excelling profile as you could imagine.³⁹ Today he's an actor and producer in LA. In my brother's senior year, it was a South Asian guy named Praveen. Not the valedictorian, but a genuinely curious guy. Google tells me that he's a professor at a medical school now. And in my senior year, a lovely White woman named Michelle Knapp was admitted. Michelle was quiet, quirky, and on the down low—brilliant. She never trumpeted her accomplishments and wasn't in the very top cluster of students when it came to class rank, so we were all a little surprised when she got in. Later, as I heard updates about her life, I realized how unique she was: after Harvard, she began a PhD program where her primary research interest was small mammals, in particular bats. Sadly, she passed away in 2006.

And let's not forget many folks' favorite Harvard alum, Jeremy Lin, who ended up with a 4.2 GPA in high school and according to Google anywhere from a 1430 (not counting the writing section) to a 2140 on the SAT.⁴⁰ Either way, it adds up to about 710–720 per section. Nice marks, sure, but probably middle of the pack for Harvard admits and below the average of about 2300 for Asian Americans.⁴¹ But honestly, who cares? He's Jeremy Lin! I give these examples to show that, contrary to popular belief, the valedictorian or perfect test taker isn't always who elite institutions like Harvard are looking for. But if you read the complaint filed by SFFA, the message sent is: How could Harvard even think to turn down students who have such perfect credentials?

"Applicant" is the representative put forth by SFFA in their complaint against Harvard for being denied admission to the 2014 entering class. "Applicant" was the valedictorian of their graduating class and had a perfect score (36) on the ACT. "Applicant" was also a National Merit Semi-Finalist, scored perfect 800s on two SAT IIs (Math and History), fundraised for NPR, tutored fellow high schoolers, and volunteered at a tennis camp. An impressive resume, no question. But does it guarantee admission to Harvard?

Here's some context to lend some perspective. A perfect 800 on a SAT II is impressive, but 19 percent of all test takers got a perfect 800 on the Math II SAT in 2015.⁴² National Merit Semi-Finalists are great, but there were 16,227 of them in 2015. In case you were wondering, the first-years in Harvard's Class of 2021 numbered 1,694, meaning that the university could, in theory, fill its first-year class almost ten times over with just National Merit Semi-Finalists.⁴³ While fund-raising, tutoring, and volunteering are all great activities, there's no way to understand the depth or uniqueness of what "Applicant" accomplished. I don't doubt that "Applicant" is an amazing kid. But in this age, when elite college admissions has become an arms race, this type of resume doesn't make them a shoo-in for anything but the honors program at the local state institution (where they

could no doubt get an excellent education). Although it's a reality, this is hard news to swallow.

The truth is, in 2017, for the Class of 2021, Harvard admitted only 5.2 percent of applicants.⁴⁴ Yes, let's read that again. 5.2 percent. Stanford admitted just 4.8 percent in 2016.⁴⁵ Princeton only 6.5 percent.⁴⁶ Flagship state institutions have also become much more competitive. Growing up, it was a joke that you could get into our largest state institution if you had a pulse. No one even called it a flagship back then—it was just big. Now it's much more competitive; in pursuit of prestige and an aura of selectivity, many flagship state schools have increased their out-of-state and international student enrollments, which has resulted in more people paying out-of-state tuition and, therefore, tougher standards for the overall applicant pool. So yes, it's a different world today when it comes to admissions, and the downside is that there are going to be a lot of disappointed students out there. But at the same time, we know that talent comes in all sorts of shapes and sizes, including but not limited to test scores—and holistic admissions allows universities to look at the full picture of a student.

THE WHITE QUESTION: OR, IS WHITE RIGHT?

As I see it, many Asian Americans are less upset at the idea that the average SAT scores of African Americans, Latinx, Native Americans, and Asian Americans differ at elite institutions and more miffed at the idea that Whites may receive some advantage over them. This may be because the differences between Asian Americans and URM students are relatively slight. At Harvard, the point differential per section (i.e., Verbal or Math) between Asian Americans and the following groups was 44 points out of 800 for Latinx students, 64 points out of 800 for African American students, and 52 points out of 800 for Native American students.⁴⁷ Pretty similar to the point differential if you compared Jeremy Lin's SAT scores to that of the average Asian American at Harvard—not bad at all. It also

doesn't take a rocket scientist to see that educational opportunity for these groups, on average, differs so widely.

What probably bothers some Asian Americans more is the allegation that Asian Americans are being disadvantaged or discriminated against as compared to Whites. This is a very delicate matter and one that I don't take lightly as someone who is Asian American and deeply committed to the community. I want my Chinese Korean American child to have the best shot possible to attend the college of his choice.⁴⁸ However, after careful review and re-review, I am confident that the data often referenced to prove evidence of discrimination against Asian Americans are inadequate to support such claims.⁴⁹ In other words, be cautious when reading the writing of people who claim otherwise, like Ron Unz, 80-20, and Students for Fair Admissions.

The big question remains: Is there negative action against Asian Americans in the college admissions process? *Negative action*, coined by UCLA School of Law professor Jerry Kang, describes the phenomenon of Asian Americans being denied admission from an institution when Whites with equal credentials and qualifications are admitted—basically, the idea that Asian Americans are being discriminated against in favor of Whites.⁵⁰ It isn't the same as affirmative action, which refers to efforts to broaden opportunity for highly qualified URM applicants. When it comes to affirmative action, Asian Americans aren't being displaced en masse by any of these groups because, let's be real, there aren't enough URM students to begin with. The anti-affirmative action folks would like you to believe that "Asians aren't getting in" because masses of African American, Latinx, and Native American students are; but, sad to say, the combined percentage of these groups is somewhere in the range of 12–18 percent of a student body at most selective institutions—and that's in a good scenario. (Remember that there are places like UC San Diego or UC Irvine where the Black student population is in the range of 1–3 percent. Yes, 1 to 3 percent.) In contrast, White student enrollment tends to be upward of 40–70 percent of a student body; this majority presence means there are many

more opportunities to bump Asian Americans out of contention. What we're really talking about here is the potential effects of negative action, not affirmative action.

When Professor Kang wrote his seminal article in 1996, it was a lot easier to prove and document negative action. The selective public system with the highest number of Asian Americans was the University of California system, which used a point-based system to admit applicants. Students received points for having certain SAT scores, GPAs, special traits, and the like. You added up the points and had a pretty good sense of whether you could get in. The formula model efficiently managed the needs of the gigantic UC system. Under this approach to admissions, it would be especially easy to spot if Asian Americans were getting in at significantly lower rates than Whites, because the criteria included in any comparison were the only criteria under consideration. Today, however, the UC system uses a comprehensive holistic review for its admissions, one similar to the process used at selective, elite private institutions. There is no longer a point-based formula (those went out with the Gratz ruling), and there are many more criteria being considered: essays and teacher recommendations are scrutinized much more carefully, the quality of extracurricular accomplishments is evaluated and not just tallied, etc. Because of this nuanced process, negative action is much more difficult to diagnose in a system that uses a holistic review of students. This is why Espenshade said that his finding that Asian Americans had, on average, SAT scores that were 140 points lower than White admittees does not conclusively prove discrimination against Asian Americans. There are too many other factors that could contribute to why Asian Americans who hit a certain test score threshold may not be getting in at the same exact rate as their White peers.⁵¹ Remember, there is no magic test score that guarantees admissions for anyone.

Other claims that Asian Americans are being rampantly discriminated against in college admissions fall short. Simply put, the evidence isn't there, and the data that folks are using to make these claims are

insufficient. For instance, in the complaint filed by SFFA against Harvard, proposed evidence compares the percentage of Asian Americans at a place like California Institute of Technology (Caltech) versus Harvard. Caltech does have a higher percentage of Asian Americans, but we aren't comparing apples to apples here.⁵² If you couldn't tell from the name—Caltech is a science- and technology-oriented institution, while Harvard has a whole array of majors (or “concentrations,” as they like to call them). While not all Asian Americans do well at science and math, enough of them excel to make up a sizeable proportion of an elite math and science university, surprise surprise. In its complaint, SFFA also noted how the Asian American percentages at the elite public high schools in New York City—Stuyvesant, Hunter College High School, and the like—are higher than the equivalent percentages at Harvard.⁵³ But, once again, there's a different metric at play. The NYC system admits are solely based on performance on the Specialized High School Admissions Test, while elite colleges use a holistic review system that considers not only test scores but a myriad of other traits. In fact, the NYC public high school admissions process is often criticized for being too rigid for only taking test scores into account, although this may change.⁵⁴

Another example of SFFA's flawed logic comes in a series of examples that note how Asian Americans make up a larger percentage of the applicant pool than present in the student body. For instance, they cite an article written by Richard Sander, a professor at UCLA School of Law, who has spent recent years claiming that underrepresented minority groups are mismatched to elite institutions.⁵⁵ We'll hear more about his work later. Sander looked at who students were sending their SAT score reports to. The study found that for three of the most selective Ivy League institutions, 27 percent of score senders were Asian Americans. SFFA pounced, citing in their complaint Sander's claim that “over this same time period, however, Asian Americans represented only 17–20% of the admitted students. No other racial or ethnic group at these schools is as underrepresented relative to its application numbers as are Asian Americans.”⁵⁶

My response is, And . . . so? Just because a group sends its score reports at a higher rate than other groups doesn't guarantee that it would be represented at the same rate in the final group of admittees. Last time I checked, all it took to send score reports was checking a box. (This generation of kids probably clicks a drop-down menu or something.) While many, many Asian Americans aren't even thinking about Harvard (remember, 40 percent attend community colleges), many are. It's just in the Kool-Aid for a sizable subset of Asian Americans. These are brand-name universities that are the stuff of legends—if not to the kids, to their dreaming parents—and a lot of high schoolers, ranging from highly qualified to laughably unqualified, are going to send their scores or submit an application.⁵⁷ These days with the Common App, all it takes is just writing another check for the application fee.

But the folks suing Harvard aren't convinced. In case you didn't get where they were going with all of this, the SFFA complaint reads: "Thus, if Harvard admitted randomly from its applicant pool, the number of Asian Americans . . . would be higher than it actually is."⁵⁸ But why would Harvard admit randomly from its applicant pool? Selective college admissions isn't a raffle where the more tickets you buy is congruent with the chance of success.

To draw a parallel, I chaired admissions for my graduate program for a number of years. We're a pretty competitive program, admitting about 10 to 20 percent of master's applicants, which means that we turn away a lot of amazing folks—we have to. Because these graduate school applicants want to work in a university setting, a lot of them have the similar profile. To estimate, probably about one-third every year were leaders in their Greek-life group during college, and this is fairly consistent year to year. So does that mean that in our final group of admittees, 30 percent of them will be former fraternity or sorority officers? Absolutely not. We look for the strongest applicants who we think have the most potential to come together and create a vibrant learning community. Some years there are a number of Greeks, yes, but other years there are none. There is no

commitment to any group at a certain rate based on their representation in the applicant pool.

Going back to the lawsuit, so of course Espenshade, Espenshade, Espenshade comes up in the SFFA complaint—the supposed 140 points that Asian Americans “need” to get in anywhere. Well let’s play their game and look at the fuller picture painted by Espenshade and friends. Oddly, something that people never mention when they talk about this study is the finding that low-income and working-class Asian Americans are significantly more likely to be admitted, as are other low-income students of color. Instead, the story that people have taken from the study is that, with the exception of Asian Americans, racial minorities are getting a bump in admissions and low-income students are not. This interpretation has led to many decisive claims that race-conscious admissions hurts low-income students writ large.

However, if people actually looked at the study’s data (pages 85–86 for anyone toting their own personal copy of Espenshade and Radford’s *No Longer Separate, Not Yet Equal*), they would see that there’s a more complex story being told.⁵⁹ Espenshade and Radford’s analysis uses interaction effects to see if any sort of significant effect was associated with the combinations (or intersections between) of being Black and low income, Black and working class, Latinx and low income, Asian American and low income, and the like. In recent years, intersectionality has entered the popular vernacular as people are becoming more aware that there’s something unique about a woman of color versus just a “woman,” for example. Interaction effects are statistics’ way of trying to capture these intersections and see if there’s any effect associated with being, for instance, Black and low income versus just Black or just low income.

And oh there is. There in broad daylight, Espenshade and Radford’s findings show that low-income Black, Latinx, and Asian Americans all have a significantly higher chance of admissions at private institutions than do White students writ large when looking just at standardized admissions metrics. Breaking it down, the authors explain:

The [socioeconomic] gradient for nonwhite students at private schools consistently favors candidates from lower and working class backgrounds over those from more privileged circumstances . . .

There is strong support for the view that admission officers are awarding extra weight to nonwhite students from poor and working-class families—especially those who are at closest to the bottom of the income distribution . . . For nonwhite students, on the other hand, there are clear signs of a low [socioeconomic] admissions advantage. Black students who come from lower or working class backgrounds can expect a favorable admissions decision in 87 percent and 53 percent of their cases, respectively. The expected chance of being admitted falls to just 17 percent for upper-class Black students. Strikingly similar patterns characterize chances by social class for Hispanic and Asian applicants to private institutions.⁶⁰

According to the data, the likelihood of admission for the group of Asian Americans from the lowest income bracket at private institutions is 58 percent, 30 percent for working-class Asian Americans, and only 10–17 percent for higher-income Asian Americans.⁶¹

If you're opposed to any form of race-conscious admissions, you may still be perturbed that the probability of a low-income Black student being admitted is still higher than that for a low-income Asian American. That trend exists in large part because of how very few low-income Black students there are competing at the level of elite college admissions due to rampant educational inequality. They really are unicorns. But if you're concerned that race-conscious admissions hurts Asian Americans in a way that especially penalizes those from low-income and working-class backgrounds, Espenshade and Radford show that these Asian American students are actually receiving a boost; they have a significantly higher likelihood of admission than their test scores, GPA, and other standardized metrics would predict. Yes, they are still outnumbered by upper-middle-class Asian Americans in selective institutions overall, but of those who

do apply to elite private institutions, it appears that they receive special consideration.

Confession: When I stumbled on these findings, which were there all along in plain view—not buried in some footnote—I was stunned, and a little embarrassed. I had already spent a good amount of time highlighting my copy of Espenshade and critiquing the false assumption that Asian Americans need higher test scores to get in. How did I miss this finding that blows that assumption out of the water? My confession is that I'm subject to the same cognitive biases and stereotypes of my own racial/ethnic groups that others are. I have the dubious honor of falling victim to the *bias blind spot*, a term that captures the cognitive bias of seeing how biases affect others' judgment but failing to recognize that I myself am affected by bias.⁶² Basically, we tend to think everyone else is more biased than ourselves and to think that we're the accurate ones. *Au contraire!* But how does someone who studies this stuff for a living miss the critical finding that low-income Asian Americans receive some benefit at elite private institutions?

With the media—social, print, and otherwise—making a big deal of the “140 points” headline, the fuller story got lost in the frenzy. Perhaps because the finding so powerfully reinforces entrenched stereotypes about Asian Americans that many harbor, that they excel at standardized tests, I (and many others) just stopped looking for another story. It's shocking, sobering, and fascinating all at once. At least I'm in good company. Espenshade and Radford note how other analyses by super smart folks like William Bowen, the former president of Princeton, and others also missed the preferences given to low-income students of color because they neglected to tease out the patterns between public versus private institutions, thus contributing to the false perception that low-income students unequivocally lose out under a race-conscious system.⁶³ I'm a little embarrassed to miss some important data, but it's a good reminder that we're all subject to blind spots and biases. Hopefully I get some slack for owning up to it.⁶⁴

ATHLETES AND LEGACIES: A WHITE ADMISSIONS ADVANTAGE, BUT DIFFERENT FROM AFFIRMATIVE ACTION

Obviously, there is a lot more than the SAT that matters in admissions. But because the “Asians are discriminated against” camp makes so much of the supposed SAT disadvantage that Asian Americans receive, let’s look more closely at scores. According to the complaint filed against Harvard, the average SAT score (for the version of the test with a maximum score of 2400) for “East Asians and Indians” in the entering class of 2017 was 2299. (Side note: This average specifically leaves out Southeast Asian American students, who often receive special consideration under race-conscious admissions policies, again challenging the claim that Asian Americans are hurt under affirmative action.) The average listed for African Americans was 2107 and for Native Americans 2142.⁶⁵ I disagree with SFFA’s claim that these scores vary “widely”; the “great variation” ends up being just 44 points per section for Latinx, 52 points for Native Americans, and 64 points for African Americans. Sure, it’s the difference between a 730 and a 780 on a section, but I wouldn’t say that anyone is rampantly unqualified.

If we really want to see if there’s systemic discrimination based on SAT scores, our real target of scrutiny is the White–Asian American comparison. For Whites (conveniently not listed in the complaint, for some reason), the score gap ends up being 22 points per section on average for the Class of 2017. However, consider that potentially an estimated 33–40 percent of the White student population at Harvard are legacies or recruited athletes, both groups that can receive special consideration in the admissions system.⁶⁶ That is a lot of students who may be evaluated through a special lens. I’m not saying these students are slackers—to only have a 22-points-per-section gap with Asian Americans, who surely have a much smaller representation of legacies and recruited athletes in their midst, is pretty impressive. There are some smart lacrosse or whatever-they-play players walking around Cambridge. Another caveat is that likely

many (hopefully) of these students are outstanding regardless of their status as legacies or athletes, so they aren't necessarily only being admitted because of this factor. Nevertheless, legacy or athletic consideration can shape admissions.

The special consideration context that some White students receive likely explains any point gap between Asian Americans and Whites. In fact, if you had only non-legacies and nonathletes, I wouldn't be surprised if Whites outscored the aggregate Asian American group. Sorry aunts who send your kids to cram school; but hey, the silver lining is that the SAT is just a number! So yes, I am glad that elite institutions look at more than numbers. The high SAT scores are a semi-necessary but totally insufficient condition. I mean, you are competing with some of the smartest lacrosse players in the world (hopefully). But the point is, almost everyone who ends up at Harvard is pretty smart. Yes, there are duds who shall remain nameless, but for the most part it's a bright bunch.

BREATHE. YOUR LIFE WILL BE FINE WITHOUT HARVARD

Many kids, especially a sizeable number of Asian Americans, grow up hearing, "Study hard and you'll get into Harvard." But being pretty awesome and good at taking tests doesn't really make you stand out in the Harvard applicant pool. When admit rates are as low as 5 percent and dropping, it's not even a question of "the best and brightest" anymore; it is more like "a certain number of exceptionally great students." Yet every subsequent generation seems to receive more socialization into the idea that they are a special snowflake; and yes, the stories of the Asian American kids who had good test scores and were valedictorian who didn't get into Harvard are a little sad.

But remember, number 1, there may be some other Asian kid who got in who wasn't valedictorian but did some really crazy, unique things and is now on the path to doing even greater things. And number 2, if you're

already a good student, you are going to end up just fine. I know because I was one of those kids.

My husband teases me for deciding to broadcast the fact that I didn't get into Harvard in the *Washington Post* (go big or go home), but it's true.⁶⁷ But after years of pretending that I never wanted to go to Harvard and dismissively saying that I wasn't even going to apply, I, uh, secretly sent in an application. I wasn't valedictorian, but I had a decent SAT score, and my high school had a track record of quirky nonvaledictorians being admitted. Maybe I was next! Well, spoiler alert, I didn't get in. But I sent in a last-minute application to Vanderbilt and one day received a surprise phone call telling me that not only did I get in but I'd landed the Chancellor's Scholarship, which was back then a scholarship for racial minorities.⁶⁸ Never mind that I had never stepped foot into the state of Tennessee; they had me at "free tuition." Vanderbilt was one of the few top-ranked schools that still aggressively recruited Asian Americans (I found that many of my friends had been wooed with similarly generous financial aid packages) and there was a reason for this: Vanderbilt needed all the diversity it could get. Vanderbilt also was the first campus to sponsor the renowned Posse program, which brings urban youth to college campuses that they otherwise would not have ended up at. We used to joke that our campus didn't know how to handle diversity, but it did know how to spend money to get students of color.

Although I received an excellent education, the campus climate was challenging. We're talking about a place that didn't rename Confederate Memorial Hall until well into the twenty-first century. I did, however, have an amazing time working with the Asian American Student Association in collaboration with the other student groups supporting diversity. Vanderbilt reminds me that race-conscious admissions can look very different from campus to campus. It allowed one campus that desperately needed racial minority students, including Asian Americans, to actively recruit them. Harvard didn't need me, but Vanderbilt did. In the fall of 2016, the Asian American population at Vanderbilt was 12.6 percent,

which might sound low if you're from California but is absolutely mind-blowingly high to me—it's basically double the percent of when I was there. And those of us who stuck it out during those hard times are part of why it has more diversity today.⁶⁹ Like other elite privates, race-conscious admissions is essential not just for encouraging places like Vanderbilt to recruit diversity but for actively countering the historical legacy of exclusion and inequality that permeates its past and present.

So yes, Asian American kids who didn't go to Harvard: If you are as accomplished and interesting as your college applications say, you are going to be just fine. Something noteworthy is that due to anonymity, we have no remaining information on where "Applicant" eventually enrolled or was admitted. It's possible that they're happily walking the gorges of Ithaca at Cornell or partying at a Dartmouth frat house or singing in an a cappella group at Amherst. Or maybe they're in the honors program at a state university. All we know from the SFFA lawsuit is that they didn't get into Harvard.⁷⁰ But I'm pretty sure they're doing just fine.

CHAPTER FIVE

Why the SAT and SAT Prep Fall Short

IN MY LITTLE BUBBLE of upper-middle-class kids who took AP classes, a lot of hype existed around the importance of a good SAT score. There was early signaling galore. I have a distant memory of being no older than seven or eight and seeing my sister's friend, who was maybe twelve, receive a SAT study book from her mother, along with a stern minilecture on how she had better make good use of the book. Our high school archived photos of the year's National Merit Semifinalists in an award showcase near the front of the school. Bored and waiting for my mom to pick me up, I would flip through the large photo sheets and recognize the usual suspects of my older brother's and sister's friends who excelled academically. I remember my brother's middle-of-the-day phone call his junior year. Nearly out of breath, he asked me to open his mail and read aloud the scores next to the Math and Verbal sections. I had no idea what the numbers meant at the time, but when he sounded happy, I knew they were good.

These messages are sent early and often: this test matters. Over time, I came to know both what a good score was and what a less desirable score was. When my time came to take the PSAT, I picked up a few books and started doing the repetitive exercises. I (almost) made it through a few practice tests, half-heartedly made flashcards, and wondered why I needed to worry so much about this dumb test. At some extremely nerdy