

## What the Harvard Lawsuit Reveals about Asian Americans and the Criteria Used in University Admissions

**Julie J. Park**, University of Maryland, College Park

Asian Americans and affirmative action have been in the news due to the high-profile lawsuit, *Students for Fair Admissions v. Harvard*. The plaintiffs argue that elite colleges like Harvard discriminate against Asian Americans in their admissions processes. However, existing evidence does not support this claim. The facts of the case demonstrate that affirmative action should not be conflated with identity-based discrimination and that affirmative action serves an important purpose in building a diverse student body on college and university campuses across the nation. However, disputes around affirmative action are unlikely to go away. So policymakers, university administrators, and advocates of affirmative action should look to *Students for Fair Admissions v. Harvard* to understand these differences and defend the important practice.

### Universities' Rights to Do Holistic Admissions Reviews

One misconception used by the Students for Fair Admissions is that Asian Americans need higher test scores to be admitted to selective institutions. Although Asian Americans do have higher average SAT scores due to their high participation in SAT preparation courses, colleges do not guarantee admission to anyone based on a specific score. Under the holistic admissions policies that were affirmed by the Supreme Court in the 2016 *Grutter, Fisher, and Fisher II* rulings, universities look at the entirety of a student record — at experiences, essays, recommendations, extracurricular activities, and academic performance. An SAT score is just one part of the broader application and is weighed in the context of a student's opportunities. Like other students, some Asian American students may even get relatively low standardized test scores yet still gain admission due to exceptional talents or other qualities — current NBA player and Harvard alum Jeremy Lin is one such example. Race-conscious holistic admissions systems make it possible for admissions officials to make this type of nuanced judgment.

Furthermore, institutions like Harvard receive far more applications than they have slots available. Applicants with the highest test scores could not simply be automatically admitted, because there are too many with the same scores. For instance, more than 16,000 total National Merit-Semifinalist designations are typically awarded to high school students with the highest Preliminary SAT scores, but the Harvard freshman class is usually around 1600 students. Because Harvard is overwhelmed by applicants who are well qualified based on test scores, non-academic experiences and qualities must play an important role in selecting members of an entering class.

### The Question of “Personal Rating” Scores

During the *Students for Fair Admissions v. Harvard* trial, a point of controversy was the “personal rating” assigned to applicant files, in which Asian Americans scored slightly lower on than whites on average. The plaintiffs relied on misconceptions that this rating is like a personality test. However, the personal rating simply encompasses information outside of academic qualifications and extracurricular activities relevant to a student's file. The personal rating is based on various sources of information including the essay, recommendations from teachers, guidance counselors, and alumni, as well as any other aspects of the application that may inform an admissions officers' understanding of a student. Data analyzed by Students for Fair Admissions organization itself show that, when students of similar academic backgrounds are compared, Asian Americans consistently received lower ratings from alumni and in recommendations from teachers and counselors. These differences likely explain lower average personal ratings overall.

This is not to say that Asian Americans somehow lack personal qualities or are in any way inferior to other groups. Research suggests that an exceptionally high number of Asian Americans apply to Harvard in

comparison to other groups, likely due to cultural and parental pressures. Their applicant pool is therefore likely broader, including students who may have strong academic and extracurricular achievements but who score lower on other dimensions. Given that Harvard's student body is well over 20 percent Asian American, a large number of Asian American applicants clearly do receive strong personal rating scores and gain admission.

If Asian Americans experience any disadvantage in the admissions system, it may be due to two disproportionately white groups that receive special consideration — legacies and recruited athletes. However, this is different from any sort of disadvantage linked to affirmative action. In fact, at Harvard in recent years, Asian American legacies were admitted at a higher rate than white legacies. In proceedings for the pending lawsuit, Harvard's expert Dr. David Card provided statistical evidence that when a full sample of students is analyzed, there is no evidence of bias against Asian Americans. His work contrasts with that of Students for Fair Admissions, which removed admitted legacies, recruited athletes, and other students from the overall sample.

## Going Forward

Apart from any initial verdict in *Students for Fair Admissions v. Harvard*, the case allows us to correct for widely held misconceptions about affirmative action and other admissions criteria:

- The most selective colleges and universities must consider attributes other than GPA and test scores because they have too many highly-qualified applicants by such measures.
- Widely-used "Personal Rankings" are not personality assessments, but normal aspects of admissions processes that include interviews and letters of recommendation.
- Holistic admissions reviews allow — and require — for nuanced judgements that take into account student life experiences and obstacles individuals may have overcome.

Most fundamentally, all observers should keep in mind that colleges and universities are tasked with preparing students to be responsible and engaged members of a diverse democracy. In order to achieve that goal, it is essential for admissions offices to assemble classes with members from varied geographic, racial and ethnic, and socioeconomic backgrounds as well as students with varied academic interests and even career goals. Holistic admissions processes have not only been supported by courts, but remain essential if colleges are to prepare graduates for robust democratic citizenship.

**Disclosure: Park served as a consulting expert in *SFFA v. Harvard*, all views are her own.**

**Read more in Julie J. Park, *Race on Campus: Debunking Myths with Data* (Harvard Education Press, 2018).**