

Date of Hearing: April 23, 2019

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

ACR 64 (McCarty) – As Introduced April 2, 2019

SUBJECT: California State University and University of California: SAT and ACT

SUMMARY: Requests the Trustees of the California State University (CSU) and the Regents of the University of California (UC) to conduct a study on the usefulness, effectiveness, and need for the SAT and ACT to determine student admissions, including evaluation of specified matters and recommendations and a plan for phasing out the use of the SAT and ACT as a basis for admission. Specifically, **this bill:**

- 1) Makes numerous declarations and findings, including:
 - a) The SAT tests reward costly test preparation rather than hard work and merit;
 - b) Wealthier students tend to do, on average, 400 points better than low-income students on the SAT;
 - c) Male students tend to receive much higher SAT math scores than female students, and slightly higher SAT writing scores than female students;
 - d) Students who generally do well in classes may test poorly in stressful conditions, such as testing to determine college entry;
 - e) The SAT emphasizes speed, quick recall, and time management over subject matter knowledge; and,
 - f) On average, White and Asian students do better than Black and Hispanic students.
- 2) Requests the Trustees of the CSU and the Regents of the UC conduct a study on the usefulness, effectiveness, and need for the SAT and ACT to determine student admissions.
- 3) Requests that the study include, but not be limited to, evaluation of norm-referenced versus criterion-referenced tests, test outcomes gaps based on ethnicity or income, test anxiety, test bias, and use of other multiple measures to determine student eligibility and qualifications such as Advanced Placement test results, International Baccalaureate (IB) test results, IB Diploma Programme completion, extracurricular activities, personal essays, teacher recommendations, submissions of creative works, and cumulative grade point average.
- 4) Requests that the study include recommendations and a plan for phasing out the use of the SAT and ACT as a basis for admission.
- 5) Requires the Chief Clerk of the Assembly to transmit copies of this resolution to the Trustees of the CSU, to the Regents of the UC, and to the author for appropriate distribution.

EXISTING LAW:

- 1) Establishes UC, to be administered by the Board of Regents, with full powers of organization and government, subject only to such legislative control as may be necessary to insure the security of its funds and compliance with the terms of the endowments of the university and such competitive bidding procedures as may be made applicable to the university by statute for the letting of construction contracts, sales of real property, and purchasing of materials, goods, and services. (California Constitution Article IX, Section 9)
- 2) Establishes the CSU, governed by the Board of Trustees with respect to educational policy, finance, employee relations, campus planning, and facilities, among other areas. (Education Code (EDC) Section 89500, et seq.)
- 3) Imposes a number of requirements on test sponsors (defined as any individual, partnership, corporation, association, company, firm, institution, society, trust, or joint stock company) that develop, sponsor or administer standardized tests (defined as any test administered in California at the expense of the test subject and used for purposes of admission to, or class placement in, postsecondary institutions or their programs, or preliminary preparation for those tests). These requirements include specified reporting requirements, specified administration and financial data and information, technical psychometric data, test descriptions with specified information to be provided to test subjects, and other miscellaneous items. (EDC Section 99150 et seq.)

FISCAL EFFECT: Unknown.

COMMENTS: *Need for the bill.* According to the author, "...recently, it was uncovered that wealthy parents are buying their children's way into elite colleges and universities including two universities that are part of the University of California system. We all watched in complete disgust as the fraud committed in this recent college admissions scandal unfolded. California seems to be the epicenter of the national scandal as 25 of the 33 families in the initial indictment are from California, and 10 of the 17 corrupt coaches and university officials were based at California colleges and universities."

"This scandal not only undermines the public's trust in the college admissions process, but it further perpetuates the opportunity gap in our college system...the scandal also shed light on the many legal ways that wealth and social connections skew the college admissions process...the 'Operation Varsity Blues' investigation resulted in dozens of bribery and fraud charges against wealthy parents willing to break the law to get their children into an elite university, specifically with regard to SAT and ACT testing fraud."

"This Assembly Concurrent Resolution will request the Trustees of the CSU and the Regents of the UC to conduct a study on the effectiveness, usefulness and need of the SAT and the ACT to determine student admissions to their respective systems."

SAT and ACT Exams. The SAT and ACT exams are the two standardized tests referenced in ACR 64. The SAT exam - owned, developed, and published by the nonprofit College Board - was established in 1926 and is typically taken by high school juniors and seniors. The ACT exam - owned, developed, and published by ACT, Inc. - was introduced in 1959 as a competitor to the SAT exam, and serves the same student population. More than two million students in the class

of 2018 took the SAT, while ACT had 1.9 million test-takers. Many students take both exams as they prepare their college application.

Standardized testing questions. California's higher education segments have already begun to study the efficacy of standardized testing as a requirement for admission. In September of 2018 UC faculty leaders announced that they would launch a study aimed at finding out whether SAT and ACT tests accurately predict college success.

This decision to study SAT and ACT testing followed the April 2018 release of *Defining Access: How Test-Optional Works*, a study that offered data from 28 colleges and universities and 955,774 applicants over multi-year periods for each of those institutions. The study found that tests often fail to identify talented applicants who can succeed in higher education - and that applicants who opt not to submit scores are in many cases making wise decisions.

Among the findings from the sample studied:

The years following adoption of a test-optional policy saw increases in the total number of applications - by an average of 29% at private institutions and 11% at public institutions.

- 1) While the degrees varied, institutions that went test optional saw gains in the numbers of black and Latino students applying and being admitted to their institutions.
- 2) About one-fourth of all applicants to the test-optional colleges opted not to submit scores. (All of the colleges studied consider the SAT or ACT submitted by applicants.)
- 3) Underrepresented minority students were more likely than others to decide not to submit. Among black students, 35 percent opted not to submit, did not, while only 18 percent of white students did not submit. (Women were more likely than men to decide not to submit scores.)
- 4) "Non-submitters" (as the report termed those who didn't submit scores) were slightly less likely to be admitted to the colleges to which they applied, but their yield (the rates at which accepted applicants enroll) was higher.
- 5) First-year grades were slightly lower for non-submitters, but they ended up highly successful, graduating at equivalent rates or -- at some institutions -- slightly higher rates than did those who submitted test scores. This, the report says, is "the ultimate proof of success."

More than 1,000 universities across the country, and nearly 100 higher education institutions in California, have adopted policies that either do not require test scores to be submitted, or have otherwise de-emphasized the use of standardized tests by making admissions decisions "test optional" or "test flexible."

Nineteen of CSU's 23 campuses are included in the list of 100 California institutions referenced above. These campuses have a policy that may require SAT/ACT scores, but only the scores are considered when minimum grade point average and/or class rank is not met.

The California Community Colleges (CCC) have an open admissions standard, and no standardized test scores are required for admission. CCC Chancellor Eloy Ortiz Oakley, also a

member of UC Board of Regents, was quoted by the Los Angeles Times as saying that tests like SAT and ACT are "...more of a measure of wealth than it is of preparedness...it has created a whole industry around test prep, and it really does nothing to help a university determine who is the best applicant - so I think it should just be gone."

Background on Admissions. In 1960, California adopted a unique framework document – the Master Plan for Higher Education - intended to guide the state through the ensuing decades of intense demand for college education. The original 1960 Master Plan report and subsequent reviews are not themselves in state law. Instead, they are reports that were commissioned by the Legislature.

Many significant principles expressed by the Master Plan, however, have been adopted in statute. The Donahoe Higher Education Act (1960) codified many Master Plan recommendations, such as defining the distinct missions of the three public segments, establishing a Board of Trustees for CSU, and creating a coordinating council for higher education. Significant principles from the original Master Plan remain uncoded, however, including the eligibility targets for admission to UC and CSU. These eligibility policies require UC and CSU to admit freshmen students from among the top 12.5 percent and 33 percent, respectively, of the state's high school graduates.

Committee Comments. Moving forward, the author may wish to expand upon many of the "Whereas" clauses in ACR 64. Additional detail will help to better justify why a review of the SAT and ACT is necessary – even as the segments seem to already be studying their testing policies or enacting admissions standards that deemphasize standardized tests.

The committee recommends, and the author has agreed, to amend the bill to read, "Resolved, That the study should additionally include recommendations and, if deemed necessary, a plan for phasing out the use of the SAT and ACT as a basis for admission." Due to time constraints, these amendments will be processed in the Assembly Appropriations Committee.

Related legislation. AB 697 (Ting), also on today's committee agenda, prohibits a postsecondary educational institution from participating in the Cal Grant program if the institution provides preferential treatment in admissions to an applicant with a relationship to a donor or alumni of the institution.

AB 1383 (McCarty), also on today's committee agenda, establishes a process for the UC and the CSU to use in granting admissions by exception.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

None on file.

Analysis Prepared by: Kevin J. Powers / HIGHER ED. / (916) 319-3960