Legislation Details (With Text)

File #:	Res 0237-2022	**Version:**	A	**Name:**	Fair College Admissions Act (A.1423-A/S.1470-A)
Type:	Resolution			**Status:**	Adopted
				In control:	Committee on Higher Education
On agenda:	6/16/2022				
Enactment date:				**Enactment #:**	

Title: Resolution calling on the New York State Legislature to pass, and the Governor to sign, the Fair College Admissions Act (A.1423-A/S.1470-A), which would prohibit legacy admissions preferences at undergraduate institutions in New York State.

Sponsors: Eric Dinowitz, Shahana K. Hanif, Rita C. Joseph, Pierina Ana Sanchez, Marjorie Velázquez, Farah N. Louis, Chi A. Ossé

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Attachments: 1. Res. No. 237, 2. June 16, 2022 - Stated Meeting Agenda, 3. Hearing Transcript - Stated Meeting 6-16-22, 4. Minutes of the Stated Meeting - June 16, 2022, 5. Committee Report 6/30/22, 6. Hearing Testimony 6/30/22, 7. Hearing Transcript 6/30/22, 8. Proposed Res. No. 237-A - 7/31/23, 9. Committee Report 8/3/23, 10. Hearing Transcript 8/3/23, 11. Committee Report - Stated Meeting, 12. August 3, 2023 - Stated Meeting Agenda, 13. Hearing Transcript - Stated Meeting 8-3-23, 14. Minutes of the Stated Meeting - August 3, 2023

Date	Ver.	Action By	Action	Result
6/16/2022	*	City Council	Introduced by Council	
6/16/2022	*	City Council	Referred to Comm by Council	
6/30/2022	*	Committee on Higher Education	Laid Over by Committee	
6/30/2022	*	Committee on Higher Education	Hearing Held by Committee	
8/3/2023	*	Committee on Higher Education	Amendment Proposed by Comm	
8/3/2023	*	Committee on Higher Education	Amended by Committee	
8/3/2023	A	Committee on Higher Education	Approved by Committee	Pass
8/3/2023	*	Committee on Higher Education	Hearing Held by Committee	
8/3/2023	A	City Council	Approved, by Council	Pass

Res. No. 237-A

Resolution calling on the New York State Legislature to pass, and the Governor to sign, the Fair College Admissions Act (A.1423-A/S.1470-A), which would prohibit legacy admissions preferences at undergraduate institutions in New York State.

By Council Members Dinowitz, Hanif, Joseph, Sanchez, Velázquez, Louis and Ossé

Whereas, "Legacy admissions preference" refers to a preference given by a higher education institution for certain applicants on the basis of their familial relationship to alumni/alumnae of that institution; and

Whereas, In his 2006 book *The Price of Admission*, Journalist Daniel Golden found that, often despite lesser academic credentials, 10 to 15 percent of students at the most selective higher education institutions had a parent who had also attended that institution; and

Whereas, Data from the 2007 National Longitudinal Survey of Freshmen showed that legacy students had Scholastic Aptitude Test (SAT) scores lower than the institutional SAT mean score and tended to earn lower grades in college compared to their non-legacy peers; and

Whereas, A primary justification often cited in favor of granting legacy preferences is that such policies have a positive impact on alumni/alumnae giving and that eliminating legacy preferences would decrease that essential source of funding for higher education; and

Whereas, A 2010 empirical analysis in *Affirmative Action for the Rich*, published by The Century Foundation, found that there was, in fact, no statistically significant evidence of a causal relationship between legacy preference policies and total alumni/alumnae giving at top colleges; and

Whereas, Critics of legacy preference policies claim that they are unfair, that they undermine diversity and fail to reward merit, and that they systematically and structurally benefit students who are overwhelmingly white and upper income; and

Whereas, In May 2021, Colorado became the first state to ban legacy admissions preferences when it did so for its public higher education institutions; and

Whereas, Education Reform Now has estimated that more than 50 colleges across New York State (NYS) consider legacy status in their admissions processes, including Columbia University, a top-tier university located in New York City; and

Whereas, The Fair College Admissions Act (A.1423-A/S.1470-A), sponsored by State Assembly Member Latrice Walker representing the 55th State Assembly District in Brooklyn and State Senator Andrew Gounardes representing the 26th State Senate District in Brooklyn, would amend the education law in relation to prohibiting legacy admissions preferences at undergraduate institutions in NYS; and

Whereas, According to the memorandum in support of S.1470-A, legacy admissions preferences at many elite higher education institutions in the United States (U.S.) essentially exclude NYS's lowest-income students, who are disproportionately first-generation college students and thus could not benefit from an admissions preference given to children of alumni/alumnae, even though students from low-income/working class backgrounds successfully complete degrees at highly selective NYS colleges at the same rate as students from high-income backgrounds; and

Whereas, According to the memorandum in support of S.1470-A, legacy admissions preferences "have resulted in legacy students being three times more likely to be accepted into a prestigious institution than a non-legacy student with a similar academic background"; and

Whereas, According to the memorandum in support of S.1470-A, almost all top 100 private colleges in the U.S. have legacy admissions preferences, and "there have been more white students admitted to top ten universities benefitting from legacy preference than students of color admitted under affirmative action"; and

Whereas, According to the memorandum in support of S.1470-A, data show that virtually no legacies attending elite colleges have come from low-income households; and

Whereas, According to the memorandum in support of S.1470-A, this bill would prevent colleges in NYS from including a question on their own application about where an applicant's parents went to college and even from looking at the answer to such a question on the Common Application, which is used by over 1,000 colleges in the admissions process; and

Whereas, According to A.1423-A/S.1470-A, a legacy admissions preference is "discriminatory in nature and disproportionately hurts students who come from working class and low-income families, have parents who did not earn a bachelor's degree, are undocumented, are immigrants, and are members of historically underrepresented minority groups formerly denied entry into specific higher education institutions"; and

Whereas, According to A.1423-A/S.1470-A, students who graduate from highly selective NYS colleges are far more likely to earn high salaries than those who graduate from less selective institutions, thus

perpetuating both economic and social inequality; and

Whereas, According to A.1423-A/S.1470-A, prohibiting legacy admissions preferences would help to diversify the student bodies at highly selective colleges and would work toward educational, economic, and social equity for their students and graduates; and

Whereas, If passed, higher education institutions that violate the law would be fined 10 percent of the tuition and fees paid by full-time equivalent students in the prior year, and funds collected from those fines would be distributed through NYS's Tuition Assistance Program (TAP) to students from households earning $80,000 per year or less; now, therefore be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, the Fair College Admissions Act (A.1423-A/S.1470-A), which would prohibit legacy admissions preferences at undergraduate institutions in New York State.

CGR/RHP
LS #6976
7/24/2023