



## Legislation Text

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**File #:** Res 0237-2022, **Version:** \*

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### Res. No. 237

Resolution calling on the State Legislature to pass, and the Governor to sign, the Fair College Admissions Act (A.9505/S.8498), which would prohibit legacy preference and early admissions policies at undergraduate institutions.

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

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

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

Whereas, “Early admission,” or “early decision,” is a college admission plan in which students apply early and receive a decision well in advance of the institution’s regular response date in exchange for a commitment to attend if accepted; and

Whereas, A 2016 study of elite colleges by *The Washington Post* found that over 40 percent and, in some cases, over 50 percent, of incoming classes are admitted early decision; and

Whereas, Since early admission prohibits students from applying to other schools in search of the best financial aid package possible, per a 2010 issue brief by *The Century Foundation* (TCF), early decision students are less likely to be low-income; and

Whereas, Moreover, according to a 2017 *Jack Kent Cooke Foundation* study, only three percent of students at the top colleges in the United States (U.S.) come from the 25 percent of families with the lowest incomes, while 72 percent of students at these institutions come from the 25 percent of families with the highest

incomes; and

Whereas, As a result, there are 24 wealthy students for each low-income student at elite schools; and

Whereas, A 2010 issue brief published by TCF found that the early admission applicant pool is more than three times as white as the regular decision pool; and

Whereas, As a result, many selective universities enroll more children of alumni than either Black or Latinx students; and

Whereas, Standardized tests used for college admissions, such as the Scholastic Aptitude Test (SAT) and American College Testing (ACT) test, have been shown to correlate strongly with applicants' household income; and

Whereas, Even so, data from the 2007 National Longitudinal Survey of Freshmen show that legacy students have SAT scores lower than the institutional mean and tend to earn lower grades once in college compared to their counterparts; and

Whereas, A 2004 study published in Social Science Quarterly found that applying early is worth the equivalent of a 100 added bonus points on the SAT, while applying as a legacy student is the equivalent of an added 160 points; and

Whereas, A primary justification often cited in favor of granting legacy preferences is that such policies have a positive impact on the amount of alumni giving; and

Whereas, Similarly, colleges that institute early admissions policies claim they attract students with a strong desire to attend, making it less likely the students will turn down offers of admissions and allowing them to fill out a class with students needing little to no financial aid; and

Whereas, Eliminating such policies, these assertions follow, would restrict an essential source of funding for higher education; and

Whereas, However, an 2010 empirical analysis published in Affirmative Action for the Rich, a TCF book, found that there is no statistically significant evidence of a causal relationship between legacy preference

policies and total alumni giving among top universities; and

Whereas, Critics of these college admissions practices claim they are unfair, that they undermine diversity and fail to reward merit, and data show that they systematically and structurally benefit students that are overwhelmingly white and upper income; and

Whereas, The Fair College Admissions Act (A.9505/S.8498), sponsored by State Assembly Member Latrice Walker and State Senator Andrew Gounardes, respectively, would amend the education law in relation to prohibiting legacy preference and early decision admission policies at higher education institutions in New York State; and

Whereas, If passed, schools that violate the law would be fined 10 percent of the tuition and fee revenue paid by enrolled freshmen the prior year, and funds collected from the fines would go to low-income students in the form of financial aid and scholarships; and

Whereas, In May 2021, Colorado became the first state to ban legacy college admissions when it passed a law prohibiting higher education institutions from considering legacy preferences in the admissions process; and

Whereas, Education Reform Now has estimated that more than 50 colleges across the state of New York consider legacy status and offer early admission in their admissions processes, including Columbia University and New York University, two top U.S. universities located in New York City; and

Whereas, Enacting the Fair College Admissions Act would declare legacy preferences and early admission policies to be discriminatory and inequitable; now, therefore be it

Resolved, That the Council of the City of New York calls on the State Legislature to pass, and the Governor to sign, the Fair College Admissions Act (A.9505/S.8498), which would prohibit legacy preference and early admissions policies at undergraduate institutions.

CGR  
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