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**MILESTONE SETTLEMENT IN HIGHER EDUCATION ADMISSIONS REACHED
BETWEEN STUDENTS AND UNIVERSITY OF CALIFORNIA**

*2021 admissions cycle saw a record-high number of applicants with a surge in first-generation,
Latinx and Black students*

ALAMEDA, CALIFORNIA – May 14, 2021 – Today, plaintiffs in *Smith v. Regents of the University of California* reached a historic settlement with the University, broadening access to UC campuses for students across the State by eliminating consideration of the SAT and ACT from admissions and scholarship decisions. Despite condemning the SAT and ACT as racist tests, the Regents voted in May 2020 to continue using those tests in University admissions and scholarship decisions for another two years. In August 2020, the Smith plaintiffs won a court order requiring the University to cease using the tests while their lawsuit was ongoing, which forced the University to abandon its plan to consider SAT and ACT scores for students applying to enter UC campuses this fall. Today’s settlement extends the University’s test-free policy through at least 2025, preventing the University from reverting to its planned test-optional admissions policy. The settlement is likely to have profound reverberations across the world of higher education, as admissions officers confront the harms of a discriminatory test that rewards affluence and excludes many underrepresented minority students and students with disabilities from higher education opportunities.

"The UCs prepare California’s future leaders in academia, in industry and in public service," says Mo Hyman, executive director of College Access Plan. "It is our hope that this agreement helps UC officials to align with the system’s vision to recruit and educate California’s best and brightest from all backgrounds. We also hope it causes public institutions everywhere to rethink their relationship with The College Board and reliance on its products, which perpetuate privilege and exacerbate racism in institutions of higher learning."

In December 2019, students, community organizations and the Compton Unified School District filed this lawsuit against the Regents and then-UC President Janet Napolitano, challenging the University’s use of the SAT and ACT in admissions decisions, which created a discriminatory and unnecessary barrier to college access for students of color and students with disabilities.

Plaintiffs filed their lawsuit only after the University failed to act in response to their demand letter calling upon the University to drop its use of the SAT and ACT in admissions. Rather than acknowledge the validity of the experiences of the student and organizational plaintiffs and the communities they represent, the University chose to undergo a review process led by a faculty Task Force, which found that UC’s use of SAT and ACT scores contributed to the

underrepresentation of students of color at UC but nevertheless recommended that UC retain its test score requirement for nine more years. In May 2020, the Regents voted to continue using the tests for another two years, notwithstanding their acknowledgment that the tests are “racist,” correlated to wealth and privilege, and “discriminatory.”

The August 2020 court order that forced UC campuses not to consider SAT and ACT in admissions decisions during this admissions cycle has already had an immediate impact. In January, the UC system released data indicating that its campuses had received a record-high number of applicants from categories previously unseen at these numbers, including first-generation students and students from Black and Latinx communities. Today’s settlement prevents the UC from going back to using the tests that had unfairly discriminated against and deterred these historically underrepresented students from applying.

“It’s very exciting to see this settlement as for decades, Black & Brown students who can’t afford pricey SAT and ACT test prep and tutors have been at a disadvantage when applying to University of California schools and scholarships,” said Aurea Montes-Rodriguez, the Executive Vice President of Community Coalition.

Organizational plaintiff Chinese for Affirmative Action acknowledged the win as one for all students. “CAA celebrates the landmark settlement to eliminate standardized testing as a factor in the UC admissions process and level the playing field for students of color and multilingual learners. Everyone stands to benefit from a student population that reflects the diversity of our local communities, and we are hopeful that this decision will send a message to students, parents and educators across the country that together, we can fulfill the promise of public education and provide opportunities for all students to succeed.”

According to FairTest, an organization that advances quality education and equal opportunity, more than 60% of U.S. undergraduate programs will not require SAT or ACT scores for fall 2022 admissions, employing either a test-optional or test-free policy. Executive Director Bob Schaeffer described the lawsuit as a landmark in the national movement toward the end of using discriminatory testing in college admissions. “Already, more than 1,400 bachelor degree granting institutions will not require standardized exam scores from current high school juniors applying for fall 2022 admission. As the University of California now clearly recognizes, test scores do not measure merit!”
