

Higher Education and Employment Advancement Committee

JOINT FAVORABLE REPORT

Bill No.: HB-5034

AN ACT PROHIBITING AN INSTITUTION OF HIGHER EDUCATION FROM

Title: CONSIDERING LEGACY PREFERENCES IN THE ADMISSIONS PROCESS.

Vote Date: 3/3/2022

Vote Action: Joint Favorable Substitute

PH Date: 2/17/2022

File No.:

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SPONSORS OF BILL:

Higher Education and Employment Advancement Committee

REASONS FOR BILL:

To prohibit the practice of giving preference to college applicants whose family member(s) attended an institution that the prospective student is applying for.

Substitute language:

- Removes the legacy admissions prohibition for private institutions

RESPONSE FROM ADMINISTRATION/AGENCY:

[Terrence Cheng, President, Connecticut State Colleges & Universities \(CSCU\)](#): While the practice of using legacy preferences has been reported in the past, "all four CSUs confirm that they no longer utilize legacy preference." Therefore, CSCU "is not opposed" to [H.B. 5034](#) because "it does not appear to have a direct impact on our institutions."

[Nathan Fuerst, Vice President for Enrollment Planning & Management, University of Connecticut](#): The University of Connecticut is not opposed to the prohibition of legacy preferences, as it "does not consider legacy status as a part of admissions decisions." However, "For matters of legal precedence and matters of institutional autonomy," UConn suggests that [H.B. 5034](#) not be passed into law, as it would "undercut our ability to defend our admissions processes." If [H.B. 5034](#) were to be passed, there is a fear of "further legislative restrictions over college admissions," as well as a concern that it would make "institutions subject to the prevailing opinion of elected bodies day-to-day."

NATURE AND SOURCES OF SUPPORT:

[Amy Dowell, State Director, Education Reform Now \(ERN\) CT](#): The utilization of legacy preferences is "both unfair and a relic of a past from which we must move on," because it "perpetuates racial and socio-economic inequities." There is a nationwide trend to end this practice, with many colleges and universities (Johns Hopkins, Pomona College, Amherst College) dropping it, Colorado becoming the first state to ban it, and US Senator Jeff Merkley (D-OR) and Representative Jamaal Bowman (D-NY) introducing federal legislation "that would ban institutions from using legacy preferences if they participate in federal student aid programs." Therefore, passage of [H.B. 5034](#) would mean that Connecticut "should be next" in order to "protect the growing number of students who are disadvantaged by an unfair admissions practice," and to "become a national leader on making college admissions more equitable."

[Ruben Felipe, Executive Director, Connecticut Charter Schools Association](#): [H.B. 5034](#) would make it so that every applicant of a college or university in Connecticut could "be admitted to a college based on their accomplishments and pursue their dreams." Legacy preference policies make it difficult for "the mostly low-income students of color who attend public charter schools" to attend an institution of higher education. Therefore, Connecticut has a "moral and constitutional obligation" to help "our most in-need children" by fighting for "educational equity" and prohibiting "an outdated and inequitable system."

[Viet Nguyen, EdMobilizer](#): Connecticut has an opportunity to become like Colorado "in leading the charge on the national stage" with the passage of [H.B. 5034](#), which prohibits the use of "racist and classist" legacy preference policies. Many of Connecticut's colleges and universities are presenting the issue as either there is increased "support and financial resources to low-income students or eliminating legacy preferences," and "both need to happen" in order to achieve "true equity."

[Richard Sugarman, President, Hartford Promise](#): Legacy preference policies are "completely meritless," as well as "completely unfair," and therefore, the Hartford Promise organization supports [H.B. 5034](#). With over 400 future Promise Scholars in Hartford high schools, attending an institution of higher education "means everything to them," but "the number of slots available to them is reduced because other applicants who come from privileged legacy families are taking...slots." These policies continue the practice of giving an advantage to some college applicants because of their "family legacy," and not those "very hardworking, talented kids" who "truly deserve and deeply want to be there." Hartford Promise believes that [H.B. 5034](#) will "give all CT students an equal chance to pursue their college dreams."

[Logan Roberts, Student, Yale University](#): Logan Roberts gave verbal testimony in support of [H.B. 5034](#), stating that not only are legacy preference policies a "problem" in Connecticut, but they are being eliminated across the country. These policies are rooted in both "anti-Semitism" and "anti-immigrant" sentiments, and they have only been enforced at Yale since 1925. Legacy preferences don't affect alumni donations, and although there have been many testimonies in support of institutional autonomy as a reason for opposition to [H.B. 5034](#), there has yet to be any "substantive justification for why this discriminatory practice should continue."

NATURE AND SOURCES OF OPPOSITION:

[James Barquinero, Senior Vice President of Enrollment, Student Affairs, & Athletics, Sacred Heart University](#): [H.B. 5034](#), "though well intentioned," would allow the state government to dictate how institutions of higher education conduct their admissions processes. Therefore, Sacred Heart University opposes [H.B. 5034](#) because private institutions "must be allowed to set their own standards and policies for admittance without government intervention." Although [H.B. 5034](#) is bringing attention to promoting access and opportunity, according to Dr. John Petillo, Sacred Heart's president, "The state would be more effective by investing in need-based aid to help all students achieve their desired educational goals." In terms of Sacred Heart's admissions process at the moment, "legacy status is never the sole basis of acceptance into" the University. If [H.B. 5034](#) becomes law, "it threatens to have adverse effects on students."

[Katherine Bergeron, President, Connecticut College](#): While "increasing access and opportunity for all students and families" is a core ideal of Connecticut College and [H.B. 5034](#), it must be opposed because it is not "appropriate for the state legislature to make policy around the admission practices of independent colleges." At Connecticut College, "Legacy applicants...constitute and infinitesimally small portion of our applicant pool," and with such a small portion of applicants with a legacy connection, "it would be nearly impossible to demonstrate whether any of these students...did or did not receive preferential treatment." Another reason for opposition is that many "children of alumni from traditionally underrepresented backgrounds are applying" to Connecticut College, and "It would be a cruel irony to prohibit legacy admissions just at the point when alumni families of color might finally...begin to benefit." In conclusion, Connecticut College suggests that the state government invest more in need-based aid in order to "promote access and opportunity," and to relieve "the financial burden" of many of Connecticut's college students and families.

[Mark Nemeec, President, Fairfield University](#): While Fairfield University "promotes access and opportunity," it "feels strongly that the complex admissions policies are best left to individual institutions." Therefore, it opposes [H.B. 5034](#) "on the premise that it is not appropriate for the state to be dictating admissions policies at private entities," and in order to avoid the possibility of "undue intrusion and regulation in areas the state has no authority or expertise."

[Jeremiah Quinlan, Dean of Admissions, Yale University](#): Although Yale University agrees with the "central aim" of [H.B. 5034](#), it "disagrees strongly with the approach" that [H.B. 5034](#) takes "because the state should not dictate how colleges and universities make admissions decisions, just as the state should not dictate whom we hire as faculty or what we teach in the curriculum." Also, [H.B. 5034](#) does little to address "the real challenge" of supplying resources to help Connecticut's disadvantaged students prepare for college and ensure that they graduate. Yale University urges the General Assembly to "exercise restraint and avoid intruding into the academic decision-making of Connecticut's public and private institutions of higher education."

[Jennifer Widness, President, Connecticut Conference of Independent Colleges \(CCIC\)](#): While the CCIC supports the intent of [H.B. 5034](#), it opposes "the *manner* in which the bill seeks to accomplish" the goal of promoting equity, because it interferes with "institutional autonomy." Only one other state in the country "prohibits public colleges from considering legacy admissions" (Colorado), and "No state in the country prohibits independent colleges from considering legacy preference in the admissions process." Although "need-based aid to Connecticut students attending Connecticut independent colleges has been cut 200% since

2012," member institutions of the CCIC "have made a strong commitment to equity and access in education," albeit with limited resources. Therefore, the CCIC opposes [H.B. 5034](#) and recommends that the Higher Education Committee "consider taking less intrusive and more impactful action towards accomplishing the goal of promoting access and diversity...by re-investing in need-based financial aid."

[Corry Unis, Vice President of Strategic Enrollment Management, Fairfield University](#): Corry Unis offered verbal testimony in opposition to [H.B. 5034](#), stating that state lawmakers should not be dictating the policies of private entities, as complex admissions processes are best left up to the individual institution.

Reported by: Austin Hyatt

Date: 3/11/2022