

AMENDED IN ASSEMBLY FEBRUARY 6, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

Assembly Concurrent Resolution

No. 73

Introduced by Assembly Member Alejo

(Principal coauthor: Assembly Member Monning)

(Coauthors: Assembly Members Allen, Ammiano, Blumenfield, Campos, Cedillo, Chesbro, Davis, Furutani, Gordon, Hall, Roger Hernández, Huber, Hueso, Lara, Bonnie Lowenthal, Mendoza, Perea, V. Manuel Pérez, Portantino, Solorio, Swanson, and Torres)

(Coauthors: Senators Calderon and Evans)

June 29, 2011

Assembly Concurrent Resolution No. 73—~~Relative to the University of California:~~ *César Chávez.*

LEGISLATIVE COUNSEL'S DIGEST

ACR 73, as amended, Alejo. ~~University of California: graduate admissions.~~ *César Chávez.*

This measure would call upon all Californians to observe César Chávez's birthday, March 31, as a day of public service, to recognize the hard work and self-sacrifice that farmworkers go through to feed all the families in our state, and to learn from César Chávez's life and his mission of nonviolence, social justice, and selfless service to others.

~~This measure would request the Regents of the University of California to implement a comprehensive approach, by the end of the 2012–13 academic year, in the respective admissions processes of the university's various graduate programs and professional schools by including a broad variety of academic and personal qualifications. This measure would also request review and revision of the admissions~~

policies of graduate programs and professional schools to include a broader variety of important qualifications, with evaluation of the weight and value given to these qualifications, so that standardized test scores are not the overriding criterion used to determine admissions.

The measure would also request the Regents to prohibit, by the end of the 2012–13 academic year, standardized test scores from being used as the sole criterion for consideration, or the primary criterion for ending consideration, of an applicant for admission to the University of California’s various graduate programs and professional schools. The measure would request the Regents to describe the factors considered for admissions decisions by each graduate program or professional school. This measure would then request the Regents to make these descriptions reasonably available to any interested person by publishing the description of the factors in each graduate program’s and professional school’s catalogue and by making the information available on their respective Internet Web sites.

Fiscal committee: no.

1 *WHEREAS, César Estrada Chávez recognized that for many*
 2 *people, spanning many generations and many ethnicities, the path*
 3 *to a better life frequently begins in the fields. For many*
 4 *farmworkers, the American Dream means a life of self-sacrifice,*
 5 *hard work, and perseverance; and*

6 *WHEREAS, César Chávez experienced the hardships and*
 7 *injustices of farmworker life firsthand. He was born on March 31,*
 8 *1927, in the North Gila River Valley in Arizona, on the small family*
 9 *farm his grandfather homesteaded. César Chávez’s father lost the*
 10 *farm during the Great Depression, forcing the family to join some*
 11 *30,000 farmworkers who followed the crops throughout California*
 12 *and lived in tents or makeshift housing that often lacked a*
 13 *bathroom, electricity, or running water; and*

14 *WHEREAS, César Chávez understood the value of education*
 15 *as a path to a better life because he quit school after completing*
 16 *the eighth grade to work full time, helping to support his family*
 17 *in the fields. Later in life, César Chávez became self-educated*
 18 *through his passion for reading; and*

19 *WHEREAS, Although later a pacifist, in 1946, César Chávez*
 20 *enrolled and served his country in the United States Navy. He was*
 21 *honorably discharged whereupon he married Helen Fabela and*
 22 *eventually settled in the East San Jose barrio nicknamed “Sal Si*

1 *Puedes* (“*Get Out if You Can*”) to raise a family that eventually
2 *numbered eight children; and*

3 *WHEREAS, In San Jose, César Chávez was introduced to the*
4 *social teachings of the Catholic Church and trained in community*
5 *organizing strategies and tactics. César Chávez and Fred Ross,*
6 *an organizer for the Community Service Organization (CSO),*
7 *established CSO chapters across California and Arizona during*
8 *the 1950s, helping Latinos register to vote, pushing for basic public*
9 *services and infrastructure in the barrios, peacefully battling police*
10 *brutality and racial discrimination, and creating the most effective*
11 *Latino civil rights group of its era; and*

12 *WHEREAS, In 1962, after failing to convince the CSO to let*
13 *him organize farmworkers, César Chávez resigned from the only*
14 *decent paying job he ever held and moved his wife and eight*
15 *children to Delano, California. There, with \$1,200 in life savings*
16 *that was soon gone, César Chávez, his family, and close friends*
17 *began building the National Farm Workers Association, which*
18 *later became the United Farm Workers of America (UFW); and*

19 *WHEREAS, In 1965, in a partnership with a union of Filipino*
20 *American farmworkers, César Chávez organized a major strike*
21 *against grape growers in California. The following year César*
22 *Chávez led an unprecedented 340-mile march, from Delano to*
23 *Sacramento, that placed the farmworkers’ plight before the*
24 *conscience of the American people. Supporters carried slogans*
25 *with the words “HUELGA” (strike) and “VIVA LA CAUSA” (long*
26 *live our cause), advocating for improved compensation and labor*
27 *conditions. Later efforts resulted in the enactment of California’s*
28 *historic Agricultural Labor Relations Act of 1975, the first and*
29 *still the only law in the nation to “encourage and protect” the*
30 *right of farmworkers to organize and bargain with their employers;*
31 *and*

32 *WHEREAS, Through countless strikes, boycotts, marches, and*
33 *fasts that produced many victories and some defeats, César Chávez,*
34 *who even considered vegetarianism an integral part of living*
35 *nonviolently, never stopped his peaceful battles on behalf of the*
36 *farmworkers with whom he shared his life. His dedication to his*
37 *work earned him the respect of some of our greatest political and*
38 *civil rights leaders, including Robert Kennedy, Martin Luther King*
39 *Jr., and Jesse Jackson. César Chávez’s motto in life, “Sí Se*

1 *Puede!*” or “*Yes We Can!*” has served as an inspiration not only
2 for Latinos, but for working Americans of all walks for life; and
3 *WHEREAS, In 1993, César Chávez died peacefully in his sleep*
4 *in San Luis, Arizona. Forty thousand people marched behind his*
5 *plain pine casket during funeral services in Delano to honor a*
6 *man who never made more than \$5,000 a year, never owned a*
7 *home, and left no money behind for his family. They came to affirm*
8 *César Chávez’s words from his landmark 1984 address to the*
9 *Commonwealth Club in San Francisco: “Once social change*
10 *begins, it cannot be reversed. You cannot uneducate the person*
11 *who has learned to read. You cannot humiliate the person who*
12 *feels pride. You cannot oppress the people who are not afraid*
13 *anymore”;* and
14 *WHEREAS, Although César Chávez was uncomfortable with*
15 *personal recognition in life, since his passing Chávez has been*
16 *honored in hundreds of communities. César Chávez was awarded*
17 *“El Aguila Azteca” (the Aztec Eagle), Mexico’s highest award*
18 *presented to people of Mexican heritage. In 1994, President Bill*
19 *Clinton posthumously presented César Chávez with America’s*
20 *highest civilian honor, the Presidential Medal of Freedom. In*
21 *2006, California Governor Arnold Schwarzenegger inducted César*
22 *Chávez into the first class of the California Hall of Fame. In 2011,*
23 *the United States Navy announced naming the latest Lewis and*
24 *Clark-class cargo ship being built in San Diego the USNS César*
25 *Chávez;* and
26 *WHEREAS, Since César Chávez’s passing, the UFW has*
27 *continued his work through organizing farmworkers and*
28 *campaigns to enact laws and regulations to bring dignity and*
29 *protections to farmworkers. Meanwhile, the César Chávez*
30 *Foundation continues improving the lives of hundreds of thousands*
31 *of farmworkers and other low-wage working families through 30*
32 *high-quality affordable housing communities it has built or*
33 *renovated and manages in four states, a network of nine popular*
34 *educational Spanish-language radio stations in three states,*
35 *after-school tutoring for disadvantaged students in two states, and*
36 *the National Chávez Center, including a visitor center, memorial*
37 *gardens, and educational center on 187 acres in the Tehachapi*
38 *Mountains where César Chávez lived and worked, and is buried;*
39 *and*

1 *WHEREAS, César Chávez successfully increased public*
2 *awareness of farmworker working conditions. To many*
3 *Californians the farmworkers' struggles are an issue from the*
4 *past, a belief reflected by the fact that farmworker suffering*
5 *typically takes place in remote areas far from cities, thereby*
6 *rendering farmworkers invisible to our society. The fruits and*
7 *vegetables that we enjoy in our daily lives are produced by*
8 *farmworkers who often endure long hours of backbreaking work*
9 *and still face challenges such as inadequate enforcement of*
10 *pesticide, safety, and labor protection laws in the fields; and*

11 *WHEREAS, Farmworkers still dream of providing a better life*
12 *for their children, but the reality of having to move from crop to*
13 *crop makes this dream hard to achieve. The downturn in today's*
14 *economy and rising cost of living have pushed farmworkers further*
15 *into poverty; and*

16 *WHEREAS, In 2000, the Legislature passed and Governor Gray*
17 *Davis signed into law Senate Bill 984 (Chapter 213 of the Statutes*
18 *of 2000), to create the first annual state holiday in the country on*
19 *César Chávez's birthday, March 31. Under that law, the State*
20 *Board of Education also created a statewide curriculum on Chávez*
21 *and encourages schools across the state to engage teachers and*
22 *students in service learning projects as a way of honoring the*
23 *legendary farm labor and civil rights leader; now, therefore, be*
24 *it*

25 **RESOLVED BY THE ASSEMBLY OF THE STATE OF**
26 **CALIFORNIA, THE SENATE THEREOF CONCURRING,** *That*
27 *the Legislature calls upon all Californians to observe César*
28 *Chávez's birthday, March 31, as a day of public service; and be*
29 *it further*

30 **RESOLVED,** *That the Legislature calls upon all Californians*
31 *to recognize the hard work and self-sacrifice that farmworkers go*
32 *through to feed all the families in our state; and be it further*

33 **RESOLVED,** *That the Legislature calls upon all Californians*
34 *to learn from César Chávez's life and his mission of nonviolence,*
35 *social justice, and selfless service to others; and be it further*

36 **RESOLVED,** *That the Chief Clerk of the Assembly transmit*
37 *copies of this resolution to the Chávez family, particularly César*
38 *Chávez's widow, Helen Chávez, the United Farm Workers of*
39 *America, the César Chávez Foundation, and the author for*
40 *appropriate distribution.*

1 ~~WHEREAS, The University of California is committed to~~
2 ~~enrolling a student body that reflects the diversity of the State of~~
3 ~~California; and~~

4 ~~WHEREAS, According to the results of the 2010 census of the~~
5 ~~United States, people of color comprise the majority of the general~~
6 ~~population of the State of California, making it the most racially~~
7 ~~and ethnically diverse state in the country; and~~

8 ~~WHEREAS, Over the last 15 years, there has been a dramatic~~
9 ~~decrease in the number of underrepresented people of color—~~
10 ~~including African American, Latino, and Native American students~~
11 ~~—admitted and enrolled in the graduate programs and professional~~
12 ~~schools of the University of California; and~~

13 ~~WHEREAS, From fall 1994 to fall 2009, inclusive, the number~~
14 ~~of African Americans admitted to law schools at UC Berkeley,~~
15 ~~UC Davis, and UCLA declined 49 percent, from a total of 239 to~~
16 ~~121, and their enrollment rate over the same period declined 61~~
17 ~~percent, from a total of 87 to only 34; and~~

18 ~~WHEREAS, From fall 1994 to fall 2009, inclusive, the number~~
19 ~~of Latinos admitted to law schools at UC Berkeley, UC Davis, and~~
20 ~~UCLA declined six percent, from a total of 273 to 257, and their~~
21 ~~enrollment rate over the same period declined 26 percent, from a~~
22 ~~total of 110 to only 81; and~~

23 ~~WHEREAS, From fall 1994 to fall 2009, inclusive, the number~~
24 ~~of Native Americans admitted to law schools at UC Berkeley, UC~~
25 ~~Davis, and UCLA declined 21 percent, from a total of 34 to 27,~~
26 ~~and their enrollment rate declined 25 percent over the same period,~~
27 ~~from a total of 12 to only nine; and~~

28 ~~WHEREAS, From fall 1995 to fall 2009, inclusive, the number~~
29 ~~of people of color admitted to UC business schools declined 60~~
30 ~~percent, from a total of 149 to 59, and their enrollment rate declined~~
31 ~~50 percent over the same period, from a total of 68 to only 34; and~~

32 ~~WHEREAS, From fall 1995 to fall 2009, inclusive, the number~~
33 ~~of underrepresented people of color admitted to all of the UC~~
34 ~~graduate programs declined 26 percent, from a total of 1,385 to~~
35 ~~1,028, and their acceptance rate declined 47 percent over the same~~
36 ~~period, from a total of 751 to only 395; and~~

37 ~~WHEREAS, Over the last 10 years, there has also been a~~
38 ~~significant decrease in the number of Asian Americans, including~~
39 ~~Filipino Americans, admitted and enrolled at certain graduate~~

1 programs and professional schools of the University of California;
2 and

3 WHEREAS, From fall 1995 to fall 2008, inclusive, the number
4 of Filipino Americans admitted to law schools at UC Berkeley,
5 UC Davis, and UCLA declined three percent, from a total of 33
6 to 32, and their enrollment rate declined 12 percent over the same
7 period, from a total of 17 to only 15; and

8 WHEREAS, From fall 1995 to fall 2009, inclusive, the number
9 of Asian Americans admitted to University of California graduate
10 programs declined 11 percent, from a total of 2,333 to 2,078, and
11 their acceptance declined 22 percent over the same period, from
12 a total of 1,097 to only 854; and

13 WHEREAS, These dramatic declines in the numbers of
14 underrepresented people of color admitted to, and enrolling in,
15 University of California graduate programs and professional
16 schools has discouraged underrepresented people of color from
17 applying to graduate programs and professional schools they
18 perceive as hostile and unwelcoming; and

19 WHEREAS, Limiting educational opportunities in higher
20 education at the graduate and professional school level perpetuates
21 inequity among Californians; and

22 WHEREAS, The dramatic decline in the numbers of
23 underrepresented people of color admitted to, and enrolling in,
24 University of California graduate programs and professional
25 schools harms all students because their education is without the
26 benefit of the perspectives those now-absent students once brought
27 to classroom discussions; and

28 WHEREAS, The dramatic decline in the number of
29 underrepresented people of color enrolling in University of
30 California graduate programs and professional schools contributes
31 to a declining number of underrepresented people of color entering
32 into professions, including law, business, education, and
33 engineering; and

34 WHEREAS, The University of California Regents Study Group
35 on Diversity Subcommittee reported in their 2007 “Report of the
36 Work Team on Graduate and Professional School Diversity” that
37 traditional ranking methodologies have been shown to have an
38 adverse effect on new enrollments of underrepresented minorities,
39 and the University of California should leverage its influence with

1 organizations that rank or assess university academic programs to
2 include metrics on diversity and social climate; and

3 WHEREAS, The University of California Study Group on
4 University Diversity reported in their 2007 “Overview Report to
5 the Regents” that change is needed to achieve a level of diversity
6 among students, faculty, and staff appropriate to their mission, as
7 well as a social climate on each of their campuses that is open to
8 and inclusive of persons from all backgrounds; and

9 WHEREAS, The current admissions policies of University of
10 California graduate programs and professional schools are too
11 narrow and do not allow for a large number of qualified students
12 of color to be admitted and enrolled; and

13 WHEREAS, The University of California had approved a
14 proposal for a comprehensive review of its freshman admissions
15 process to consider a broad variety of academic and personal
16 qualifications; however, the same approach is not used in its
17 graduate and professional schools admissions process; and

18 WHEREAS, Standardized test scores, as the sole criterion for
19 consideration or as the primary criterion to end consideration of
20 an applicant, could well constitute a major obstacle to the
21 admission of underrepresented people of color to the University
22 of California’s graduate and professional schools, and the
23 overreliance on standardized test scores, to the exclusion of other
24 valuable admissions information, exacerbates the problem of low
25 admission and enrollment rates of people of color; and

26 WHEREAS, The Law School Admissions Council (LSAC), the
27 organization that administers the Law School Admissions Test
28 (LSAT), launched a five-year effort in January 2001 to urge law
29 schools to deemphasize numbers-based admissions policies and
30 to broaden their admissions criteria; however, despite those efforts,
31 law schools still continue to place a substantial emphasis on
32 standardized test scores; and

33 WHEREAS, The American Bar Association’s Commission on
34 Racial and Ethnic Diversity in the Profession reported that
35 representation by people of color in the legal profession is
36 significantly lower than in most other professions, that entry into
37 the profession by people of color has slowed considerably since
38 1995, and that enrollment by people of color has dropped
39 significantly at top public law schools in California; and

1 ~~WHEREAS, Industry standards and guidelines militate against~~
2 ~~using standardized test scores as the sole criterion for making~~
3 ~~important decisions that impact people’s lives, and support the use~~
4 ~~of multiple measures to make high-stakes decisions when these~~
5 ~~measures are available and will add to the validity of the decision;~~
6 ~~and~~

7 ~~WHEREAS, By broadening the admissions criteria of the~~
8 ~~graduate programs and professional schools, and by prohibiting~~
9 ~~the use of standardized test scores as the sole criterion for~~
10 ~~consideration or as the primary criterion to end consideration of~~
11 ~~the applicant, the Regents of the University of California would~~
12 ~~assert that the University of California is committed to admitting~~
13 ~~and enrolling all students, and would assure underrepresented~~
14 ~~people of color that they are welcome and wanted; now, therefore,~~
15 ~~be it~~

16 ~~*Resolved by the Assembly of the State of California, the Senate*~~
17 ~~*thereof concurring, That the Legislature of the State of California*~~
18 ~~*requests the Regents of the University of California to implement*~~
19 ~~*a comprehensive approach in the admissions processes to include*~~
20 ~~*a broad variety of academic and personal qualifications for their*~~
21 ~~*respective graduate programs and professional schools by the end*~~
22 ~~*of the 2012–13 academic year; and be it further*~~

23 ~~*Resolved, That the Legislature requests that the comprehensive*~~
24 ~~*approach also include reviewing and revising the admissions*~~
25 ~~*policies of graduate programs and professional schools, which*~~
26 ~~*claim to include some additional qualifications, to include an even*~~
27 ~~*broader variety of important qualifications, as is already done for*~~
28 ~~*the undergraduate admissions process of the University of*~~
29 ~~*California; and be it further*~~

30 ~~*Resolved, That the Legislature requests that the comprehensive*~~
31 ~~*approach include reviewing and revising the weight or value placed*~~
32 ~~*on each of the important factors so that the standardized test scores*~~
33 ~~*are not the overriding criterion used to determine admissions; and*~~
34 ~~*be it further*~~

35 ~~*Resolved, That the Legislature officially requests the Regents*~~
36 ~~*of the University of California to prohibit, by the end of the*~~
37 ~~*2012–13 academic year, standardized test scores from being used*~~
38 ~~*as the sole criterion for consideration, or as the primary criterion*~~
39 ~~*to end consideration, of the applicant for admission to the*~~

1 University of California's various graduate programs and
2 professional schools; and be it further
3 *Resolved*, That the Legislature requests that the Regents of the
4 University of California describe those factors that are considered
5 by each graduate program's or professional school in making
6 admissions decisions, and make those descriptions reasonably
7 available to any interested person, by publishing the description
8 of the factors in each graduate program and professional school's
9 catalogue, and making the information available on their respective
10 Internet Web sites; and be it further
11 *Resolved*, That the Chief Clerk of the Assembly transmit a copy
12 of this resolution to each Regent of the University of California
13 and to the author for appropriate distribution.