CLT Remarks Before The Regents, May 15, 1997

Good morning. It's a pleasure to be here with you.

I have just a few thoughts to share on this topic, which I judge to be a very important one.

At first glance, this may seem like a simple matter. Development concerns should not influence admissions decisions. But to think of it as simple is to misunderstand the changes that have taken place on our campuses in recent years with regard to the role of private funding.

A critical part of my role—perhaps the most important part—is to advance the interests of the Berkeley campus in many areas. I do this by making friends with a great many people—people of all kinds who are willing to help the University, not just by giving money, but just as importantly, by giving of their time and other resources. This is the Cal family—a family that has stepped up to help us when state and other sources of funds have declined. Relationships with the hundreds of committed, generous supporters of our campus are delicate and important. Without them, we simply cannot continue to be the institution we are today.

Each year, our campus faces a number of situations where the growth and strengthening of an important relationship may depend in part on the outcome of an admission decision. We do not take these cases lightly. When cases like this emerge, the files of the applicants are very carefully reviewed, in consultation with the faculty. In almost all cases, we say no. However, in a few cases each year, our review of an applicant's qualifications, in combination with our very serious consideration of the institutional interests to be served, lead us to conclude that the applicant should be admitted. In these cases, we follow several simple rules: the applicant must be able to succeed at Berkeley; the institutional interest to be served must be very, very important; and the admission must not result in another applicant losing a place. When our campus makes decisions to admit students under these circumstances, I feel good. I feel good because I know we have done what is best for the campus and for all of our students.

Last summer, in the wake of media and legislative attention to this issue, our President issued a letter in which he confirmed that decisions like those I described fall appropriately within the discretion of campus Chancellors. On the Berkeley campus, the Academic Senate has also affirmed that a very small number of such admissions cases is in the best interests of the campus and our students. And, the Chair of our faculty senate admissions committee is
involved personally in every such decision. I think the President has done an excellent job of describing the conditions under which institutional interests not only may be considered, but should be considered.

I believe that passage of the resolution before you will restrict the flexibility of my successor and his colleagues in ways that do not serve any of us—including our students—well.

Finally, I would like to say something about the term "VIP admissions." This term is misleading. All students admitted to our campuses are VIP’s and all of them are better off as a result of our ability to do what we can to further the broad interests of our campuses.

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Potential Questions Regarding CLT Remarks

Q: How can you say that students admitted through these special processes are not taking the place of other applicants?

A: Our admissions process is designed each year to create an incoming class that will replenish those who graduate and keep Berkeley at the same size, the enrollment for which we are budgeted by the state. We admit a specific number of students to meet that target. Students admitted by our Admissions Review Committee are admitted over and above that target. We may admit zero or we may admit ten. But how many are admitted in this part of our process will not in any way affect the number admitted in the rest of the process.

Q: Can you give us an example of the kind of "institutional interest" you're talking about?

A. Yes, I can.

Several years ago, the daughter of a very well known national political leader applied to Berkeley. The applicant's father was considered an advocate of higher education and a possible presidential contender. He was in a position to raise the national profile of our campus significantly. The opportunity to showcase the strengths a public university can offer would have had benefits for many institutions beyond our own. This applicant had attended a rigorous prep school and had strong qualifications, but she had not received counseling in high school about UC's A-F requirements and her record had some technical deficiencies. We did not want to turn this applicant down and her case came before the Admissions Review Committee, which admitted her. She was also admitted to every institution she applied to, including Harvard, Brown, and Yale, where she chose to enroll.

Had Berkeley denied this student who was admitted to all of these other prestigious schools, her father would not have thought we had stiffer rules than they do. He would have thought we were wrong, we were a large bureaucracy who had made a mistake, and this would have been his long-term impression of the University of California.

There are similar cases whose names may not be as familiar but where the cases is equally compelling. Many of these students apply to various Ivy League schools. Our Ivy League competitors do not turn them down. No one questions their decisions. But in some cases, we may wish that we had the flexibility of our competitors. Of course I would not argue for large-scale
alumni or other preferences. But the flexibility to be accommodating in a very few cases can make a tremendous difference for our campuses.

Q: Some people have argued that if consideration of development interests is outlawed, the process of granting such consideration will so "underground," that is, it will continue.

I think people say such things because they recognize that people will not stop asking for help. I agree with this: friends of the university who know of talented applicants will continue to bring these applicants to our attention.

Right now, we have a process for handling these requests: we tell the inquirers that we will take a special look at the application and they feel better. In the vast majority of cases, we do not intervene in any way. But we are able to tell the inquirer that we made a special effort.

In the future, we will have to say "I'm sorry, there is nothing I can do." Sometimes when I say that to people, they don't believe me. They think Chancellors are all powerful, so what I am really saying is that I choose not to intervene, because I don't care about them, I don't value the contribution they have made to the campus. This is difficult, very damaging to these relationships.

In terms of whether the process will continue, of course we will follow The Regents' policy. There is no way we cannot. But I think this will be hard for many staff members, who will be approached by people who assume there is a secret process going on. We will not have a secret process, but we may have a hard time convincing people that this is true.

Q: You say that you think such flexibility should be reserved for a very few cases each year. But I notice that Berkeley this year admitted nine freshmen and two transfer students—a total of eleven. This is noticeably more than you have admitted in previous years. How can you call this a very small number?

First, let me say that the number of cases admitted in any given year varies considerably, depending on the qualifications of the students and other factors. The fact that we admitted more students this year should be seen as an indication that those we were considering had strong qualifications.

Regarding whether this number is "small," let me remind you that Berkeley had more than 27,000 freshman applicants this year. Our Admissions Review Committee admitted nine freshmen, two of whom were admitted in consideration of severe disadvantage they had encountered. The nine freshmen who were admitted represent .0003 — three one-hundredths — of one percent of our pool. I do feel this number is a very tiny fraction.
Q: Can you tell us specifically about the students you admitted this year, and why?

Yes, although I must be somewhat general because we are legally required to withhold information that would make it possible to identify these students.

This year's Admissions Review Committee admitted nine freshmen. Five were admitted to the fall term. Four who applied for fall were denied for that term but admitted to the Spring 1998 term.

Of the five freshmen admitted to the fall,

- Two were students who had been recognized by their high schools as very high achievers and who had achieved despite extraordinary disadvantage, but were still not competitive with our top applicants. We admitted these students because we thought they had demonstrated tremendous perseverance and commitment and because we felt that admitting them would send an important message to their high schools and their communities about the value of hard work and striving for excellence.

There was no development interest in these students but there was an institutional interest, in that we did not want to send a message to these high schools that Berkeley is unattainable, even for their very best graduates.

- The other three students were admitted after consideration of development interests. In each of these cases, denying the applicant would have had a negative effect on a very large gift to the campus. Each of these three were strong students who had anomalies in their records that kept them from being competitive. For example, one had a very low verbal SAT score but very high scores on all other tests and high grades in English from a very rigorous high school. On examining this student's record, we discovered that she was a fairly recent immigrant to the United States and had taken the SAT nearly two years ago. In the interim, her English skills had improved tremendously. Her record was reviewed by a faculty member from the English department before she was admitted. The academic records of the other two applicants in this group were similar.

Of the four freshmen whose applications were denied for Fall but accepted for the Spring:

- All four were cases in which we had a very, very strong institutional interest. In two of these cases, members of the applicant's immediate family had given extraordinary service to the campus over a prolonged
period of time: by serving as trustees, by volunteering their professional services, and by helping us reach out to major new sources of financial support. In the other two cases, very large donations to the campus were involved.

In all of these cases, the students were well qualified. One, for example, had a GPA of 4.3 and very narrowly missed being competitive for admission to the spring.

Q: Can you tell us the ethnicity of these admitted students?
No, I'm sorry, I don't have that information.

Q: What about the two junior transfers?
I'm sorry, I didn't bring that information with me.

Q: When you say "very large gifts" were involved, how large is large?
I am talking about gifts in excess of $5 million.

or:
I am talking about millions of dollars, sometimes many millions.

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