

# Dear student,

## The Supreme Court regrets to inform you

As Oct. 31 ushers in a landmark race-based affirmative action hearing, college counselors and upper school students brace

STORY  
ILLUSTRATION

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### I. Nationwide college counseling prepares for potential ramifications

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“Race is just one piece of the bigger picture that college admission boards look at,” said upper school Associate Director of College Counseling Phil Moreno. “But the fear is, if we lose the context that race provides, colleges won’t be able to accurately assess this bigger picture.”

Moreno emphasizes the oppression which Black and brown persons of color have systematically faced within the American legal system.

Part of the systemic imbalance between different races in the United States which Moreno referenced are reflected by the 2018 Census Bureau data and IRS tax returns. This study found that among children raised in the bottom fifth of income distribution, 10.6 percent of white children reach the top fifth of household income, as do 25.5 percent of Asian-American children. In starkly lower numbers, only 7.1 percent of Hispanic children reach the top fifth. The statistic is even lower for Indigenous American and Black children—3.3 percent and 2.5 percent, respectively.

According to Moreno, doubts have been raised amongst administrators for less selective universities without endowments about the process of class endowment without race as a factor.

But the aftermath of the case could affect even the most established institutions. On Sept. 13, Nueva’s college counseling team attended a conference held by Kenyon College, Claremont McKenna College, and six other liberal arts schools.

Moreno cites that the colleges’

primary concern were possible financial ramifications from the case—they feared that in losing race-based admissions, more money would need to be diverted towards diversity outreach. The UC system has poured more than half a billion dollars into extensive outreach since California outlawed race-based affirmative action 18 years ago. (In 2020, UCLA’s Black student population was 5 percent of the total student body; UC Berkeley’s was just over 2 percent. In 2001, the Black student populations were 4 percent and 6 percent for UCLA and UC Berkeley, respectively.)

The eight colleges in the conference also claimed that in limiting their autonomy to make admissions decisions, the government legislature is limiting their ability to enroll their target student bodies.

“These lawsuits, they fear, are the slippery slope to admission by legislation,” Moreno said. “Instead of each admissions decision being dictated by each institution, it’s going to be dictated by Sacramento or Washington D.C.”

College counselors across the country have also united with admission offices against the SFFA’s mission.

In an email sent to Moreno on Aug. 1, 2022, the CEO of the National Association for College Admission Counseling (NACAC), Angel B. Pérez, wrote, “In filing an amicus brief alongside the College Board, ACT, and the American Association of Collegiate Registrars and Admissions Officers (AACRAO), we present a powerful message of unified concern for the future of holistic admission practices.”

On Sept. 24, Nueva’s college counseling team attended NACAC’s annual conference, which featured sessions such as “The Future of Race-Conscious Admission: Update on

the UNC and Harvard Cases” and “Dr. Leonard Moore on Race and Culture in College Admission.”

Despite possible changes on the weight of demographics, the team will work to maintain a smooth application process for future seniors.

“When we meet with Nueva students, we’re still going to meet them in the middle,” said Moreno, emphasizing the college counseling office’s personalized approach to admissions. “Only now there’s going to be a lot more work put in on our side to get there.”

But while college counselors have joined in a unified front against SFFA’s lawsuit, the case has revealed divided opinions amongst the upper school community.

### II. Upper school students stand divided on affirmative action

Given the possible ramifications of the Supreme Court decision on high school students applying to college, the majority-Asian and white population of Nueva students has divided in opinion on affirmative action.

In a survey sent to 454 upper school students, 106 anonymous respondents weighed in on the complex issue.

One student who opposed race-based admissions argued that race was only the tip of the iceberg, asserting that socioeconomic status is a more accurate way to view disadvantages.

“I know that it is supposed to break the cycle of systemic racism, but it just seems kind of unfair,” the student wrote. “Why not just give benefits to the entire lower socio-economic class?”

Other students noted that in

the U.S., race and socioeconomic status are intrinsically tied.

“Yes, in a perfect world, affirmative action shouldn’t exist,” said Tammer Maraqa ’24, a bi-ethnic Middle Eastern and East Asian student. Maraqa’s ideal world would be marked by “equitable education” in the 18 years before college, including funding for underserved communities and schools. But finance wouldn’t be the only

“As someone with privilege, I know I have access to a lot of opportunities that others don’t. Though affirmative action may not necessarily support me, I think it’s worth taking for those that don’t have the same access to application and testing resources.”

factor, as Maraqa believes “race precedes class.”

“Systematically, Black and brown persons of color are still disproportionately discriminated against,” Maraqa said. “Asian-Americans aren’t as

### Of the respondents who opposed affirmative action, less than half indicated that they felt comfortable publically sharing this opinion—read their reasoning here.

“It’s hard to share opinions about this, especially because it’s easy to be discredited since we have access to opportunities that others don’t.”

“Nueva has a fairly homogenous political atmosphere where any public opinion deviating from what is conventionally accepted here guarantees backlash.”

“It’s such a hard topic, and so many people get hurt either way. Do we care more about the people of color that get denied because there are already white people and (East) Asians in school? Why? Who gets to decide how important that is? How do we know we can trust them?”

“You need to be very careful treading on the topic of who has privilege and who does not. I don’t want to be coined as someone who invalidates other races’ struggles.”

“People often have extreme thoughts on controversial topics such as affirmative action, so I don’t want my relatively neutral view to be made more extreme and used to characterize me or show me in a negative light.”

“This is just something that I keep to myself. I feel like there are better ways of helping others.”

“I wouldn’t want colleges doing a background check and finding out—I fear there would be repercussions.”

“I’m neutral about this, but I wouldn’t even say anything because it’s controversial and I am scared of cancel culture.”

“I don’t think I’m well enough informed to form a proper opinion on it, much less share it with the entire school.”





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barred.”

Despite his half-Asian heritage, when Maraqa is asked to specify his race in educational applications, he checks “mixed-race,” and if not given the option, “Middle Eastern.”

“I believe I deserve the benefits that come from race-based admissions,” Maraqa said. “I’m not afraid to say that racist attitudes pervade every step of the system. If I can claim my heritage of being Muslim as well as Middle Eastern, why shouldn’t I?”

However, the conversation around affirmative action has become increasingly centered around Asian-American students due to high percentages of Asian students in highly-selective universities (Harvard University’s class of 2024 was 25 percent Asian, while Asian-Americans barely make up 7 percent of the total U.S. population). Multiple students anonymously attributed this focus on Asian-Americans to the model minority stereotype, a controversial term coined in 1966 by sociologist William Petersen. In his essay, Petersen described Asian Americans as ethnic minorities who, despite their marginalization,

achieved success in the U.S. over “problem minorities.”

“[The model minority stereotype] only furthers the idea that Asians are the enemy to white success and should be categorized by white people,” a student noted.

Yet, affirmative action is not universally burdensome for Asian Americans.

Mei Mei Loh ’24, a bi-ethnic Chinese-Indian student joked that while her academic profile as a “math-loving Asian student in the Bay Area” is “very common,” she doesn’t think it “holds much weight.”

“My experiences are independent of my race,” Loh said. “My college essays probably aren’t going to be written about my cultural identity. I’m still going to do the things I love, regardless of stereotypes, because I just love it with all my heart.”

She added that while it’s “easy to be salty” about affirmative action, she ultimately supports it, believing that any personal detriment can be justified if it’s for “the greater good.”

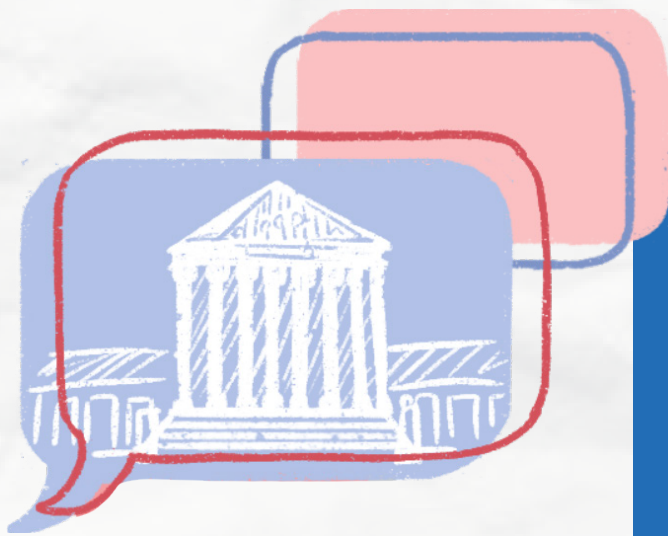
Of the respondents who support affirmative action, those who elaborated on their stance noted the

necessity of considering race in college admissions due to its lingering role in American societal and academic structures.

“As someone with privilege, I know I have access to a lot of opportunities that others don’t,” one respondent acknowledged. “Because of that, though affirmative action may not necessarily support me, I think it’s a really important step worth taking for those that don’t have the same access to application and testing resources, are marginalized or have challenging circumstances.”

The students in favor of affirmative action still acknowledge its limitations—with one survey respondent calling it a “sugar packet solution”—but in the current society, they maintain, it’s still “absolutely necessary.”

As SFFA’s lawyers prepare to stand before the Supreme Court, students in favor of affirmative action grow increasingly anxious; those who deem it an unnecessary or unjust policy can only wait and see whether the United States can truly herald equality without factoring in race.



In a survey sent on Sept. 20 to 454 upper school students, 106 anonymous respondents weighed in on affirmative action.

12.3%

of respondents indicated that they "strongly oppose" race-based affirmative action.

19.8%

of respondents indicated that they "moderately oppose" race-based affirmative action.

20.8%

of respondents indicated that they were not well-enough informed to provide an opinion on affirmative action.

34.8%

of respondents indicated that they "moderately support" race-based affirmative action.

12.3%

of respondents indicated that they "strongly support" race-based affirmative action.

