

Regents of UC v. Bakke / Background •

As you read the background summary of the case below, look for the **important vocabulary terms**. You can find definitions for these terms on the separate vocabulary handout.

In the early 1970s, the University of California Davis School of Medicine (UC Davis) admitted 100 students each year. The university used two **admissions** programs: a regular admissions program and a special admissions program. The purpose of the special admissions program was to increase the number of “minority” and “disadvantaged” students in the class. **Applicants** who were low-income or members of a racial minority could apply for the special admissions program.

In the regular admissions program, applicants had to have a grade point average of at least 2.5 or they were automatically rejected. In the special admissions program, however, applicants did not have to have a grade point average of 2.5 or higher. Sixteen of the 100 spaces in the medical school were reserved only for students from the special admissions program. This is known as a **quota** system.

From 1971 to 1974, the special program admitted 21 Black students, 30 Mexican American students, and 12 Asian American students, for a total of 63 “minority” students.¹ The regular program admitted one Black student, six Mexican American students, and 37 Asian American students, for a total of 44 “minority” students. No “disadvantaged” White candidates were admitted through the special program.

Allan Bakke was White. He applied to and was rejected from the regular admissions program in 1973 and 1974. Non-White applicants with lower scores than Bakke’s were admitted under the special program.

After his second rejection, Bakke filed a lawsuit in the Superior Court of Yolo County, California. He wanted the court to force UC Davis to admit him to the medical school. He claimed that the special admissions program **violated** the 14th Amendment. The 14th Amendment says, in part, “*No State . . . shall deny to any person . . . the equal protection of the laws.*” Bakke said that the university, a state school, was treating him unequally because of his race. He thought that he would have been admitted to the school if he were not White.

The university argued that their system of admission served several important purposes. It helped lessen the effects of discrimination in society. The special admissions program could help reverse the history of discrimination faced by racial minorities who are trying to get into medical school. The university also said that the special program increased the number of physicians who practice in underserved communities. Finally, the university reasoned that there are educational benefits to all students when the student body is diverse.

¹ These were the racial classifications used by the University of California at the time.

The Superior Court of Yolo County, California, agreed with Bakke. It said that the special admissions program violated the United States and California Constitutions. The Court said that a person's race could not be considered when the university decides whom to admit.

The University of California and Bakke both **appealed** the case to the Supreme Court of California. This court also declared the special admissions policy **unconstitutional** and said that Bakke had to be admitted to the medical school.

The Regents of the University of California then appealed the case to the Supreme Court of the United States.

Questions to Consider

1. Why would a college or university consider race when deciding whom to admit?
2. Why would some people say it is unfair for a college or university to consider race when deciding whom to admit?
3. Do you think colleges and universities should consider race when deciding whom to admit? Why or why not?
4. What did the Superior Court of Yolo County, California, and the Supreme Court of California say about choosing applicants based on race?