

JAZZ LEWIS
Legislative District 24
Prince George's County

MAJORITY WHIP

Appropriations Committee



The Maryland House of Delegates
6 Bladen Street, Room 151
Annapolis, Maryland 21401
410-841-3691 · 301-858-3691
800-492-7122 Ext. 3691
Fax 410-841-3055 · 301-858-3055
Jazz.Lewis@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES ANNAPOLIS, MARYLAND 21401

HB004– Institutions of Higher Education – Admissions Standards – Prohibition on Consideration of Legacy Preference

Thank you, Chair Barnes and Vice Chair Chang, and my fellow members of the Appropriations Committee.

I am here today to present my legislation, House Bill 4, which bans our institutions of higher education that receive state funding from considering a prospective student's legacy status during the school's admission process. Many of our state's institutions already publicize that they don't take into account legacy status. This bill will codify that into statute so that we preserve the integrity of our school's admission process and ensure that no one receives an undeserved advantage.

In the wake of the Supreme Court's ruling in *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College* and *Students for Fair Admissions, Inc. v. University of North Carolina et al.*, which effectively ended consideration of race in admissions decisions, our focus turns to how we can continue to foster diversity and opportunity in our colleges and universities. While addressing specific aspects of admissions practices, this ruling casts a broader light on the need for equitable access to higher education.

After the ruling, President Biden requested the U.S. Department of Education, led by U.S. Education Secretary Cardona, to offer guidance on the new legal landscape and provide tools to the states to ensure continued equitable access for all to the economic mobility securing, and often life-changing opportunity that is higher education. The report underscores the crucial role of higher education in ensuring fair access to educational opportunities, particularly for students from low-income and underrepresented backgrounds. The stratification of our higher education system by class and race not only perpetuates but exacerbates societal inequalities. According to the Department: "..., using admission practices that favor legacy students can perpetuate the cycle of excluding underserved students from higher education opportunities and can run counter to institutional goals of creating a socioeconomically and racially diverse campus."

While the recommendations in the report are expansive, and I do suggest the state review them all, our proposed legislation is focused on the recommendation of banning legacy admissions. By banning legacy admissions, we are taking a decisive step toward dismantling barriers that have long hindered socioeconomic and racial diversity in our institutions. Legacy admissions, by their very nature, privilege a select and likely wealthy few, often at the expense of equally deserving students who lack such connections or wealth.

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This issue is also not new to Maryland. As stated at the outset, most of our higher education institutions already have policies, but not all of them. This bill aims to rectify that. Even Johns Hopkins University, the most selective University in the state, has banned legacy admissions. As stated in a recent Washington Post article, by banning legacy admissions, diversifying where they recruit, and devoting resources and scholarships to students in need, the University has moved from 9% of incoming freshmen having legacy connections in 2013 to less than 2% in 2022, while underrepresented racial and ethnic groups increased to 34%. Our institutions that consider legacy status should follow this model.

As President Biden aptly noted, our colleges should reflect the diversity of America. They should value and recognize the adversities overcome by students on their path to education. This is not just about adhering to legal standards; it's about upholding moral ones.

Therefore, as we discuss the future of our higher education system today, let's remember that at the heart of this conversation are the dreams and aspirations of thousands of young Marylanders. It's about ensuring that every student, regardless of their lineage, has a fair chance to succeed.

Lastly, I want to clarify what this bill is not. This bill does not prohibit our institutions from advertising their schools through their Alumni networks. It also does not prohibit institutions from sending birthday gifts or other paraphernalia to the children of alumni to get them interested in following in their parents' footsteps.

As stated in Judge Roberts's opinion for the majority, students " must be treated based on his or her experiences as an individual." Spoken another way, merit should be merit, through and through. If that is the case, then we should pass this bill, enshrine the importance of merit over legacy preferences, and continue to work to ensure all Marylanders who seek to better their stars have a fair and equitable shot at doing so.

With this bill, we are ending in Maryland what is perhaps the oldest and most pervasive form of affirmative action: legacy admissions. Thank you for your time, and I urge a favorable report on HB4.

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