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Michael V. Drake, MD  
President

Office of the President  
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November 16, 2020

CHANCELLORS

Dear Colleagues:

On September 22, 2020, the California State Auditor issued a report on an audit of the University of California's undergraduate admissions policies and practices as requested by the Joint Legislative Audit Committee. As a preeminent higher education institution, and as a public trust, we hold ourselves to the highest standards of integrity. I appreciate the work your campuses have done already to fully implement the internal-audit recommendations from the Office of Ethics, Compliance and Audit Services. In order to continue to safeguard and advance the fairness of our undergraduate admissions processes systemwide, the following immediate actions are required of your campus.

**Intercollegiate Athletics and Development**

1. Document in your local procedures and training materials a requirement for all staff who are involved in informing or recommending admissions decisions to report any attempts to inappropriately influence admissions decisions, regardless of source, to their supervisors or to the director of undergraduate admissions. Employees also have the option of reporting these issues through the whistleblower process to the Locally Designated Official or via the whistleblower hotline.
2. Document the following processes in your local policies and procedures and implement them for student athletes admitted for fall 2021 enrollment:
  - a) Require that at least two reviewers verify the athletic talent of all prospective student-athletes before their admittance. At least one of these reviewers should be from a department other than the athletics department.
  - b) Develop requisite standards for the level of talent expected of prospective student-athletes in order to join the team for each particular sport and use those standards to assess prospective talent.
  - c) Track student-athlete participation in the sport for which they were recruited. If a student does not participate in the sport for longer than one year, document the reason and, if appropriate, conduct a review of the circumstances that led to the student's admission, as part of our efforts to identify any signs of inappropriate admissions activity.
  - d) Review donations to athletic programs to determine whether the donations made before or after a student-athlete's admission may have influenced the athletic department's decision to request the student-athlete's admission.

### **Undergraduate Admissions**

1. Document in your local procedures and training materials a requirement for all staff who are involved in making or informing admissions decisions to report all attempts to influence admissions decisions, regardless of source, to their supervisors or to the director of undergraduate admissions. Employees also have the option of reporting these issues through the whistleblower process to the Locally Designated Official or via the whistleblower hotline.
2. Provide documentation in your local undergraduate admissions policy and/or processes of the following:
  - a) The prohibition of a single person having authority to make a final admissions decision outside of the established and documented protocol.
  - b) The prohibition of consideration of an applicant's familial or other personal relationships to university staff or faculty in an admissions decision.
  - c) The prohibition of communication between your campus's development office and its admission office about prospective applicants within the three months prior to the application filing period.
  - d) The prohibition of communication between your campus's development office and its admissions office about individual applicants prior to a final admission decision, after the appeals and waitlist processes, having been made.
3. Prior to commencing the selection process for fall 2021 admissions, and no later than January 15, 2021:
  - a) Document the principles and implement a methodology of how your campus will choose applicants for admission, with additional details on instances when applicants receive similar reader scores. The selection strategy should specify the reasons your campus may select applicants with lower or less competitive scores over applicants with higher scores.
  - b) Develop and implement processes to identify applicants whom your campus has selected for admission and who are not eligible for admission to the university, and record the rationale for admitting those applicants despite their ineligibility.
  - c) Per previous UCOP [guidance on reporting](#) on Admission by Exception, develop and implement processes for coding admitted applicants who do not meet minimum requirements with a corresponding rationale for admission.
4. For campuses employing application readers, establish and document acceptable levels of application reader proficiency and maintain training and monitoring programs to ensure that your readers attain and sustain those levels. In the annual Comprehensive Review report to BOARS, include efforts made by your campus towards training, monitoring and maintaining reader consistency levels, including the frequency with which reader ratings align with campus guidelines for rating applications.
5. Commencing with the current fall 2021 admissions cycle for both freshman and transfer applications, campuses employing application readers shall ensure that the second readers cannot see the ratings of the first reader.

6. Commencing with the current fall 2021 admission cycle, record all campus departments outside of undergraduate admissions that participate in or provide information that affects admissions decision-making. In addition:
  - a) Obtain, evaluate and approve criteria and processes that these departments use in rating and selecting applicants to recommend for admission.
  - b) Annually obtain a roster from each of these departments of the individuals who will participate in admissions decision-making and of their roles, and ensure that no single individual is responsible for such decisions in any given department.
  - c) Ensure that each individual included by a department on the roster it submits, as set forth in 6(b) above, has received training on appropriate and inappropriate factors on which to base admissions decisions and has agreed to abide by the campus's conflict-of-interest policies with respect to admissions.
  
7. By the fall 2022 admissions cycle, campuses that anticipate not being able to admit all eligible transfer applicants and that do not have a two-reader review process shall develop a process to have a second read of a random sample of transfer applicants, excluding applicants guaranteed admission.

Additional reforms may be required for the next (fall 2022) admission cycle and will be determined after further consultation with your campus.

All documentation of campus and internal processes must be submitted to [AdmissionsAuditDocs@ucop.edu](mailto:AdmissionsAuditDocs@ucop.edu) no later than January 15, 2021. If you have any questions about this request, please submit to [AdmissionsAuditDocs@ucop.edu](mailto:AdmissionsAuditDocs@ucop.edu).

I appreciate your prompt and diligent attention to these matters.

Sincerely,

A handwritten signature in black ink that reads "Michael V. Drake" followed by a stylized flourish.

Michael V. Drake, MD  
President

Attachments

cc: Provost and Executive Vice President Brown  
Senior Vice President Holmes  
Vice President and Vice Provost Gullatt  
Chief of Staff Kao  
Executive Director Yoon-Wu

**State Audit of UC Admissions Policies and Practices  
Summary of Audit Findings and Recommendations**

<b>Findings</b>	<b>Recommendations</b>
<p><i>Campus staff took advantage of weaknesses in admissions processes to inappropriately admit 64 students as favors to donors, family and friends.</i></p> <ul style="list-style-type: none"> <li>• Our review found that campuses admitted 64 applicants — in addition to the two identified in the federal investigation — for academic years 2013–14 through 2018–19 on the basis of their families’ donations to campuses or their connections to campus staff, leadership and donors. These inappropriate admissions decisions subverted the university’s high standards for admissions and denied educational opportunities to more qualified applicants.</li> <li>• Campus staff falsely designated 22 of these applicants as student-athlete recruits because of donations from or as favors to well-connected families. Each campus we reviewed lacked sufficient processes for verifying that the applicants whom coaches identified as student-athlete recruits actually possessed experience or athletic talent in the sport that they purportedly played.</li> <li>• UC Berkeley inappropriately admitted 42 other applicants who were connected to campus staff and donors. These applicants were less qualified than many others for whom the campuses denied admission. In fact, some of these applicants received the lowest possible scores on their applications. The involvement of multiple members of management at UC Berkeley in these inappropriate admissions demonstrates that campus leadership failed to foster a culture</li> </ul>	<ol style="list-style-type: none"> <li>1. To protect the fairness and integrity of its admissions processes, the Office of the President should establish systemwide protocols for admissions processes by the fall 2021 admissions cycle that prohibit the following: <ul style="list-style-type: none"> <li>• Giving authority to any one person to make a final admissions decision</li> <li>• Consideration of an applicant’s familial or other personal relationships to university staff or faculty in an admissions decision</li> <li>• Communication between a campus’s development office and its admissions office about applicants and prospective applicants</li> </ul> </li> <li>2. To protect the campuses' athletics admissions process from abuse, the Office of the President should require each campus to do the following by the fall 2021 admissions cycle: <ul style="list-style-type: none"> <li>• Have at least two reviewers verify the athletic talent of all prospective student athletes before their admittance. At least one of these reviewers should be from a department other than the athletics department. Each campus should develop standards for the level of talent that prospective student athletes for each of its teams must possess and then use those standards to verify the talent.</li> <li>• Track student athletes' participation in the sport for which they were recruited. If a student does not participate in the sport for longer than one year, the campus should determine the reason why the athlete stopped participating and, if necessary, conduct a review of the circumstances that led to the student's admission to identify signs of inappropriate admissions activity.</li> <li>• Review donations to athletic programs to determine whether those donations made before or after an athlete's admission may have influenced the athletic department's decision to request the athlete's admission.</li> </ul> </li> <li>3. The Office of the President should immediately require staff involved in making or informing admissions decisions to report all attempts to influence admissions decisions, regardless of source, to their supervisors or to the director of undergraduate admissions.</li> <li>4. Beginning with the fall 2021 admissions cycle, the Office of the President should oversee UC Berkeley's admissions process for at least three years. The Office of the President should ensure that all admissions decisions are merit-based and conform to the university's policies on admissions. Further, the Office of the President should facilitate the establishment of a culture of ethical conduct in admissions by providing regular training to admissions and development staff, conducting reviews of admissions decisions and monitoring the admissions office's communications about applicants to ensure that no inappropriate factors influence admissions activities.</li> </ol>

**State Audit of UC Admissions Policies and Practices  
Summary of Audit Findings and Recommendations**

<b>Findings</b>	<b>Recommendations</b>
<p>committed to the university’s principles of fairness in admissions decisions.</p> <p><i>Campuses lack key criteria and standards to support their admissions decisions.</i></p> <ul style="list-style-type: none"> <li>• UC Berkeley and UCLA have not established criteria for selecting from among the thousands of applicants who apply each year. Because of the campuses’ lack of criteria, it is unclear why — in addition to the inappropriate admissions we describe in the previous sections — they have frequently admitted applicants with lower ratings while denying admission to applicants their readers have more highly recommended.</li> <li>• All three campuses we reviewed selected applicants for admission who did not meet university eligibility requirements, but they could not demonstrate that they had identified those applicants as ineligible, and had not documented a rationale for admitting many of those applicants.</li> </ul>	<p>5. To ensure that the university maintains a fair and consistent admissions process, the Office of the President should require each campus to take the following actions:</p> <ul style="list-style-type: none"> <li>• By March 2021, document and implement a selection methodology that describes how it will choose applicants for admission, particularly when the applicants have received similar ratings from application readers. Further, the selection strategy should specify the reasons why a campus may choose an applicant with a low or uncompetitive rating instead of an applicant with a higher rating.</li> <li>• Develop and implement processes to use when selecting applicants for admission for identifying applicants whom it has selected for admission but who are not eligible for admission to the university, and record their rationale for admitting those applicants despite their ineligibility.</li> </ul> <p>6. To provide assurance that campuses’ use of the admission-by-exception policy is aligned with the policy’s purpose, beginning in June 2021 the Office of the President should annually select a random sample of applicants admitted by exception and verify that campuses recorded a rationale for each admission and that each rationale aligns with BOARS’s guidance.</p>
<p><i>Campuses have not adequately ensured that reviewers and faculty consistently and fairly evaluate applications.</i></p> <ul style="list-style-type: none"> <li>• Campuses have not adequately trained or supervised the readers who rate applications, creating the risk that their evaluations of thousands of applicants will be unfair or inconsistent. For instance, UC Berkeley’s readers correctly assessed only about 60 percent of practice applications during training before the campus allowed them to rate actual applications.</li> </ul>	<p>7. To ensure that the university maintains a fair and unbiased admissions process, the Office of the President should require each campus to take the following actions:</p> <ul style="list-style-type: none"> <li>• By March 2021, establish acceptable levels of application reader proficiency and maintain training and monitoring programs that ensure that its readers attain and sustain those levels. In addition, it should report annually to BOARS on those efforts and on reader consistency levels, including the frequency with which reader ratings align with campus guidelines for rating applications.</li> <li>• Beginning with the academic year 2021–22 admissions cycle, require each campus that does not admit all eligible transfer applicants to ensure that two readers review all transfer applications.</li> <li>• Beginning with the academic year 2021–22 admissions cycle, ensure that the second readers cannot see the ratings of first readers for both freshman and transfer applications.</li> </ul>

**State Audit of UC Admissions Policies and Practices  
Summary of Audit Findings and Recommendations**

<b>Findings</b>	<b>Recommendations</b>
<ul style="list-style-type: none"> <li>• Campuses have not taken critical steps to protect applicants from reader bias. They have provided application readers with applicants’ demographic information, including their names, native languages, and birthplaces, which could bias the readers’ evaluations.</li> <li>• Campuses allow academic departments to participate in evaluating applicants for admission to their programs, but they have provided little or no oversight of the processes that those academic departments use when evaluating applications. As a result, these departments’ evaluations are at risk of inconsistency or bias.</li> </ul>	<ol style="list-style-type: none"> <li>8. To better ensure that implicit bias in the evaluation of applications does not affect applicants’ chances at admission, the Office of the President should remove potentially biasing information from the application information that campuses can access.</li> <li>9. To ensure that it properly protects all admissions activity against improper influence, the Office of the President should require each campus's undergraduate admissions office to do the following: <ul style="list-style-type: none"> <li>• Identify all other campus departments that participate in or provide information that affects admissions decision making.</li> <li>• Obtain, evaluate and approve a description of the criteria and processes that these departments use in rating and selecting applicants to recommend for admission.</li> <li>• Annually obtain a roster from each of these departments of the individuals who will participate in admissions decision-making and of their roles and ensure that no single individual is responsible for such decisions in any given department.</li> <li>• Ensure that each individual whom a department includes on the roster it submits has received training on appropriate and inappropriate factors on which to base admissions decisions and has agreed to abide by the campus's conflict-of-interest policies with respect to admissions.</li> </ul> </li> </ol>
<p><i>The Office of the President has not safeguarded the University’s admissions process.</i></p> <ul style="list-style-type: none"> <li>• The Office of the President did not set minimum protocols for the campuses’ admissions processes or conduct sufficient oversight of their admissions practices. Weak oversight of its recent internal audit meant that issues at the campuses were undetected by campus auditors. In the absence of common protocols and adequate oversight, the Office of the President can provide only limited assurance to the public that its admissions processes reflect the high standards it publicly affirms.</li> <li>• Although the university guarantees admission to applicants who excel at their California high schools, it has not monitored the</li> </ul>	<ol style="list-style-type: none"> <li>10. To better safeguard the integrity of the university's admissions processes, the Office of the President should, by July 2021, begin conducting regular audits of the admissions processes at each of its undergraduate campuses, ensuring that it reviews each campus at least once every three years. These audits should be conducted by systemwide audit staff and include, but not be limited to, verification of special talents, communication between admissions staff and external parties regarding applicants, and other avenues for inappropriate influence on admissions discussed in this report. The audits should also endeavor to identify inappropriate admissions activity and deficiencies in the admissions process. The Office of the President should make the results of the audits public.</li> <li>11. To ensure that campuses adequately address deficiencies identified in its own internal audit, the Office of the President should immediately begin to assess whether the campuses have completed the corrective actions they developed in response to systemwide recommendations and should evaluate whether the campuses' actions adequately address the audit's concerns.</li> <li>12. To increase the number of high school students who have the opportunity to gain admission to the university through its Eligibility in the Local Context (ELC) program, the Office of the President should, beginning in April 2021, do the following:</li> </ol>

**State Audit of UC Admissions Policies and Practices  
Summary of Audit Findings and Recommendations**

<b>Findings</b>	<b>Recommendations</b>
program that facilitates this guarantee or expanded participation by California schools.	<ul style="list-style-type: none"><li>• Annually determine which high schools are eligible to participate in ELC but do not. It should annually report to BOARS the number of these high schools and their demographic characteristics.</li><li>• Annually contact eligible high schools that are not participating in ELC to determine their reasons for choosing not to do so. It should assess whether the university can address barriers to participation and, to the extent that it can increase participation, it should take the steps to do so.</li></ul>



# *The University of California*

Qualified Students Face an Inconsistent and  
Unfair Admissions System That Has Been  
Improperly Influenced by Relationships and  
Monetary Donations

*September 2020*

**REPORT 2019-113**





**CALIFORNIA STATE AUDITOR**

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September 22, 2020  
2019-113

The Governor of California  
President pro Tempore of the Senate  
Speaker of the Assembly  
State Capitol  
Sacramento, California 95814

Dear Governor and Legislative Leaders:

As directed by the Joint Legislative Audit Committee, my office conducted an audit of the University of California's (university) admissions process. Our review assessed the risk for fraud and inappropriate admissions activities at four campuses and we conclude that the university has allowed for improper influence in admissions decisions, and it has not treated applicants fairly or consistently.

From academic years 2013–14 through 2018–19, we found the four campuses we reviewed—UC Berkeley, UCLA, UC San Diego, and UC Santa Barbara—unfairly admitted 64 applicants based on their personal or family connections to donors and university staff. Campuses admitted 22 of these students through their student-athlete admissions processes, even though the students did not have the athletic qualifications to compete at the university. UC Berkeley admitted the remaining 42 students, most of whom were referred to the admissions office because of their families' histories as donors or because they were related or connected to university staff, even though their records did not demonstrate competitive qualifications for admission. By admitting 64 noncompetitive applicants, the university undermined the fairness and integrity of its admissions process and deprived more qualified students of the opportunity for admission.

The university has also failed to ensure that campuses fairly and consistently treat the thousands of prospective students who apply each year. Neither UC Berkeley nor UCLA have developed methodologies for how they determine which applicants to admit. Nevertheless, both of those campuses admitted thousands of applicants whose records demonstrated that they were less qualified than other applicants who were denied admission. Applicants' chances of admission were also unfairly affected by UC Berkeley's, UCLA's, and UC San Diego's failures to properly train and monitor the staff who review and rate applications. We found that staff were sometimes overly strict or overly lenient in their review of applications, thereby making the applicants' chances of admission unduly dependent on the individual staff who rated them rather than on the students' qualifications.

The Office of the President has allowed the weaknesses in these practices to persist because it has not conducted adequate oversight of campuses' admissions processes. Although it conducted an internal review of admissions processes after the recent nationwide college admissions scandal, the Office of the President relied heavily on campuses to review themselves and did not attempt to identify inappropriate admissions activity. Stronger standards and oversight are necessary to improve the university's ability to guarantee a fair and merit-based admissions process and to detect and prevent inappropriate admissions decisions.

Respectfully submitted,

*Elaine M. Howle*  
ELAINE M. HOWLE, CPA  
California State Auditor

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## SUMMARY

The University of California (university) is the most selective of the State's public postsecondary institutions. The university relies on its campuses—which are bound by policies of its Board of Regents (Regents)—to make admissions decisions. This audit reviewed the general admissions practices of three campuses: the University of California, Berkeley (UC Berkeley), the University of California, Los Angeles (UCLA), and the University of California, San Diego (UC San Diego). It also examined the admission of athletes at those campuses and at the University of California, Santa Barbara. This report draws the following conclusions:

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### **Campus Staff Took Advantage of Weaknesses in Admissions Processes to Inappropriately Admit 64 Students as Favors to Donors, Family, and Friends**

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We identified 64 applicants whom the four campuses admitted for academic years 2013–14 through 2018–19 based on inappropriate factors, including their families' donations to the university and their relationships to campus staff. The majority of these applicants were white and at least half had annual family incomes of \$150,000 or more. Campus staff used the campuses' weak athletics admissions processes to admit 22 of these applicants, even though they possessed little athletic talent. In addition, UC Berkeley admitted 42 applicants through its regular admissions process based on their connections to donors and staff, while concurrently denying admission to others who were more qualified. The pervasiveness of this problem at UC Berkeley demonstrates that campus leadership has failed to establish a campus culture that values commitment to an admissions process based on fairness and applicants' merits and achievements.

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### **Campuses Lack Key Criteria and Standards to Support Their Admissions Decisions**

Page 31

UC Berkeley and UCLA do not have criteria for selecting applicants for admission, raising questions about why they have frequently admitted applicants whom their reviewers identified as less competitive while denying admission to applicants their reviewers more highly recommended. Additionally, UC Berkeley, UCLA, and UC San Diego lack adequate processes for identifying applicants who do not meet eligibility requirements for admission to the university.

**Page 39****Campuses Have Not Adequately Ensured That Reviewers and Faculty Consistently and Fairly Evaluate Applications**

The campuses have not adequately trained or supervised the reviewers who rate applications. As a result, reviewers were sometimes overly harsh or overly lenient in the assessment of applicants, which made applicants' chances of admission unduly dependent on which staff members evaluated their applications. Further, although the campuses allowed academic departments to have input in admissions decisions, the campuses provided little or no oversight of the processes that academic departments use when evaluating applications for majors in their departments, creating risk of improper influence on their recommendations of applicants for admission.

**Page 53****The Office of the President Has Not Safeguarded the University's Admissions Process**

The university's Office of the President has not reviewed the campuses' admissions processes to detect and prevent unfair or inconsistent practices. Instead, it has allowed weaknesses to persist for years. Further, the Office of the President has not monitored or encouraged high school participation in its program called Eligible in the Local Context, a critical university effort to increase campuses' admission of disadvantaged high school students. Consequently, nearly 30 percent of eligible schools—more than 600 schools—in the State do not participate, resulting in thousands of high school students missing an opportunity to obtain guaranteed admission to the university.

**Summary of Recommendations**

Beginning with the admissions cycle for applicants applying for academic year 2021–22, the Office of the President should require all campuses to do the following:

- Before admitting prospective student athletes, verify their athletic talents and review donation records for indicators of inappropriate activity.
- Establish and follow predetermined criteria for how they will select the applicants they admit, including the circumstances under which they will admit an applicant whom their reviewers have determined to be less qualified than others they reject.

Beginning with the admissions cycle for academic year 2021–22, the Office of the President should oversee UC Berkeley’s admissions process for at least three admissions cycles to ensure that the campus provides a merit-based admissions process that is free of improper influence.

By March 2021, the Office of the President should require that all campuses establish proficiency standards for application reviewers and monitor those reviewers’ ratings for consistency.

By April 2021, the Office of the President should begin regular audits of the campuses’ admissions processes to assess them for weaknesses, identify inappropriate admissions decisions, and recommend improvements.

At least annually, the Office of the President should assess its Eligible in the Local Context program to ensure that as many high school students as possible are able to participate.

### **Agency Comments**

The Office of the President did not state whether it would implement our recommendations. Instead, it stated that the university is committed to safeguarding the integrity of its admissions practices, and that it would take prompt action to address the issues raised in our report.

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# INTRODUCTION

## Background

The University of California (university) is the State’s most selective public postsecondary education system. It has nine campuses that offer undergraduate education, each of which is responsible for implementing the university’s admissions process and deciding which applicants to admit to its campus.<sup>1</sup> However, the university’s leadership sets admissions standards and guides the campuses’ conduct of admissions activities. Specifically, the University of California Board of Regents (Regents)—the university’s governing body—adopts university policies, including those related to admissions. The Academic Senate, made up of university faculty members, sets conditions for admission that are subject to the Regents’ approval, largely through its Board of Admissions and Relations with Schools (BOARS) committee. Finally, the university’s Office of the President has authority over university operations, serves as the systemwide headquarters, and supports campuses’ admissions and enrollment.

To be eligible for admission, applicants to the university generally must meet its minimum eligibility criteria, which the text box lists. The university requires campuses to verify applicants’ eligibility. However, eligibility is not a guarantee of admission. The university expects campuses to use a process known as *comprehensive review* to determine which applicants to admit. Comprehensive review involves evaluating applicants using multiple measures of achievement and promise while considering the context in which each applicant has demonstrated academic accomplishment. BOARS has issued guidelines that identify 14 different factors—such as academic grade point average, quality of academic courses planned for senior year, and special talents—that university policy allows campuses to consider when evaluating applicants and their fitness for admission. The text box lists these 14 factors.

### University Freshman Eligibility Requirements and Admissions Factors

#### Minimum Eligibility Requirements

- Completion of 15 university-approved college preparatory (A-G) courses\*
- A grade point average of at least 3.0 in those courses that are taken in the 10th and 11th grades (3.4 for out-of-state students)
- Completion of the ACT or SAT exam with writing section<sup>†</sup>

#### Factors Campuses May Consider When Evaluating Applicants

- Grade point average for all academic courses
- Standardized test scores<sup>†</sup>
- Courses taken beyond the minimum specified in the eligibility requirements
- Honors, advanced placement, or college courses taken
- Ranking within the student’s high school class
- Quality of academic courses planned for senior year
- Quality of academic performance relative to available educational opportunities
- Academic accomplishments in light of life experiences and special circumstances
- Outstanding performance in a specific academic subject
- Outstanding work on special projects in any academic field
- Work on school or community special projects
- Recent improvement in academic performance
- Special talents, skills, or interests or other significant experiences or achievements
- Location of high school and residence

Source: University undergraduate admissions policy, BOARS’s guidelines, and Regents board meeting minutes.

\* Applies only to California residents. Out-of-state residents (nonresidents) are required to take 15 college preparatory classes; however, the university does not have a preapproved course list for schools outside of California.

<sup>†</sup> In May 2020, the university suspended the testing requirement until 2024, but allowed campuses the option to consider ACT or SAT scores if applicants chose to submit them for fall 2021 and fall 2022. Further, on August 31, 2020, a judge prohibited the university from using ACT or SAT test results in its admissions decisions during the pendency of a related court case.

<sup>1</sup> A 10<sup>th</sup> campus—the University of California, San Francisco—offers only graduate education and professional education in medicine, dentistry, pharmacy, and nursing.

## The Undergraduate Admissions Process

Although campuses must adhere to the policies and guidelines that the university has established for admissions, they have significant discretion to set their own evaluation standards and establish the relative importance of the factors they will consider when determining which applicants to admit. For example, most of the campuses' comprehensive review processes include a holistic assessment of the applicants, which does not specifically weight any of the 14 measures of achievement as more important than others. However, a small

number of campuses weight some of the 14 factors more heavily than others. Further, some of the campuses that perform holistic assessments choose to focus almost entirely on one of the 14 factors—specifically, the factor called *special talent*—when assessing certain applicants, such as athletes. Campuses consequently put less emphasis on these applicants' grade point averages and test scores.

At each of the three campuses whose general admissions process we reviewed—the University of California, Berkeley (UC Berkeley), the University of California, Los Angeles (UCLA), and the University of California, San Diego (UC San Diego)—the campus's office of undergraduate admissions (admissions office) oversees the holistic assessment of each freshman application. These campuses have two different staff—whom they refer to as *readers*—evaluate and rate each application upon its receipt. Because of the volume of applications that they receive, the campuses rely on a combination of permanent admissions staff and temporary staff to read all of the applications they receive. As the text box shows, the three campuses use different rating scales to evaluate applications. After assigning those ratings, as part of their comprehensive review of applicants, the campuses may also request additional information from the applicants, such as letters of recommendation, that the campuses also consider when making admissions decisions.

### Application Rating Scales at UC Berkeley, UCLA, and UC San Diego

#### UC Berkeley

- Strongly Recommend
- Recommend
- Do Not Recommend

#### UCLA

- 1 Emphatically Recommend for Admission
- 2 Strongly Recommend for Admission
- 2.5 Recommend for Admission
- 3 Acceptable for Admission
- 4 Qualified – upper half of qualified pool
- 4.5 Qualified – lower half of qualified pool
- 5 Recommend Deny

#### UC San Diego

- 1 (Highest rating)
- 2
- 2.5
- 3
- 4
- 4.5
- 5 (Lowest rating)

Source: Analysis of admissions policies at each campus.

After the readers have reviewed and rated each application, admissions staff are responsible for selecting applicants for admission. In academic year 2019–20, the three campuses we reviewed were generally among the most selective. UC San Diego received 99,000 freshman applications and admitted less than one-third of them. UC Berkeley received 87,000 and admitted 16 percent, while UCLA received 111,000 and admitted 12 percent.

After selecting applicants for admission, the campuses offer some applicants a place on their waitlists, from which they admit additional applicants as space allows.

Other staff—besides those in the admissions office—participate in the admissions process for certain applicants. These applicants generally fit one of two profiles: they are potential athletic recruits or they are applying to a major that requires an additional review, such as the theater program at UCLA. In the case of athletic recruits, coaches or other staff from the campus athletic department identify potential applicants who have desirable talent. The campuses rely heavily on their athletics staff to assess the applicants' athletic abilities. Also, majors such as business at UC Berkeley or film and television at UCLA require applicants to submit additional records, such as essays or portfolios of work, to demonstrate why they should be selected for admission. Faculty and staff in those departments then evaluate those submissions and make recommendations to the admissions office regarding which applicants the campus should admit. Both athletic recruits and applicants to these specific majors generally must still meet university eligibility requirements.

The campuses' processes for reviewing and admitting transfer applicants are similar to, but distinct from, their freshman admissions processes. Transfer applicants establish eligibility for admission to the university through completion of specified college coursework with a required minimum grade point average of 2.4 for residents and 2.8 for nonresidents. All three campuses have only one reader evaluate and rate each transfer application, but those reviews vary by campus. UCLA and UC Berkeley holistically review transfer applicants in a process similar to the freshman review process, but they heavily emphasize the applicant's completion of the required coursework and academic performance. In contrast, UC San Diego does not holistically review transfer applications, and instead only focuses on whether the applicant meets minimum coursework requirements, such as completing a select number of transferable courses. Throughout this report, unless we specify otherwise, we refer to both the freshman and transfer admissions processes when discussing campuses' admissions processes.

### **Admission by Exception**

As we describe earlier, the university has established minimum eligibility requirements for admission to ensure that incoming students are well prepared to succeed at the university. However, university policy provides some flexibility to campuses by allowing them to admit a small percentage—up to 6 percent of enrolled applicants—of applicants who do not meet those eligibility requirements. The university refers to such an admission as an *admission by exception*.

According to BOARS's guidelines, this policy exists because the eligibility criteria do not recognize an applicant's full set of achievements, talents, or personal circumstances. Furthermore, BOARS states that this policy provides a means to identify applicants who do not meet the technical requirements for eligibility but who demonstrate strong likelihood of success at or exceptional potential to contribute to the university.

Consistent with the university's policy on comprehensive review, readers do not consider whether applicants have met the eligibility

requirements when rating applications. Rather, as Figure 1 shows, readers evaluate applicants based on the 14 allowable factors we discuss earlier. Campuses then select applicants for admission, generally based on those ratings. BOARS's guidelines issued in 2020 state that the campuses will identify the applicants from California whom they have selected who do not meet eligibility requirements and record the reasons why they are admitting these applicants despite their ineligibility.

BOARS provides recommended reasons for considering an applicant for admission by exception, which the text box summarizes.<sup>2</sup> For example, an applicant who attended a high school that did not offer all of the required coursework but who still demonstrated high academic achievement, could be a candidate for admission by exception. Similarly, an applicant who is a highly accomplished athlete but whose GPA dropped below 3.0 could also be a candidate for admission by exception. However, not every applicant admitted because of a special talent is admitted by exception. In fact, at the three campuses we reviewed, the majority of applicants whom the campuses admitted because they were prospective student athletes or because of their skill in the arts met the university's eligibility requirements.

### The University's Admission by Exception Implementation Guidelines

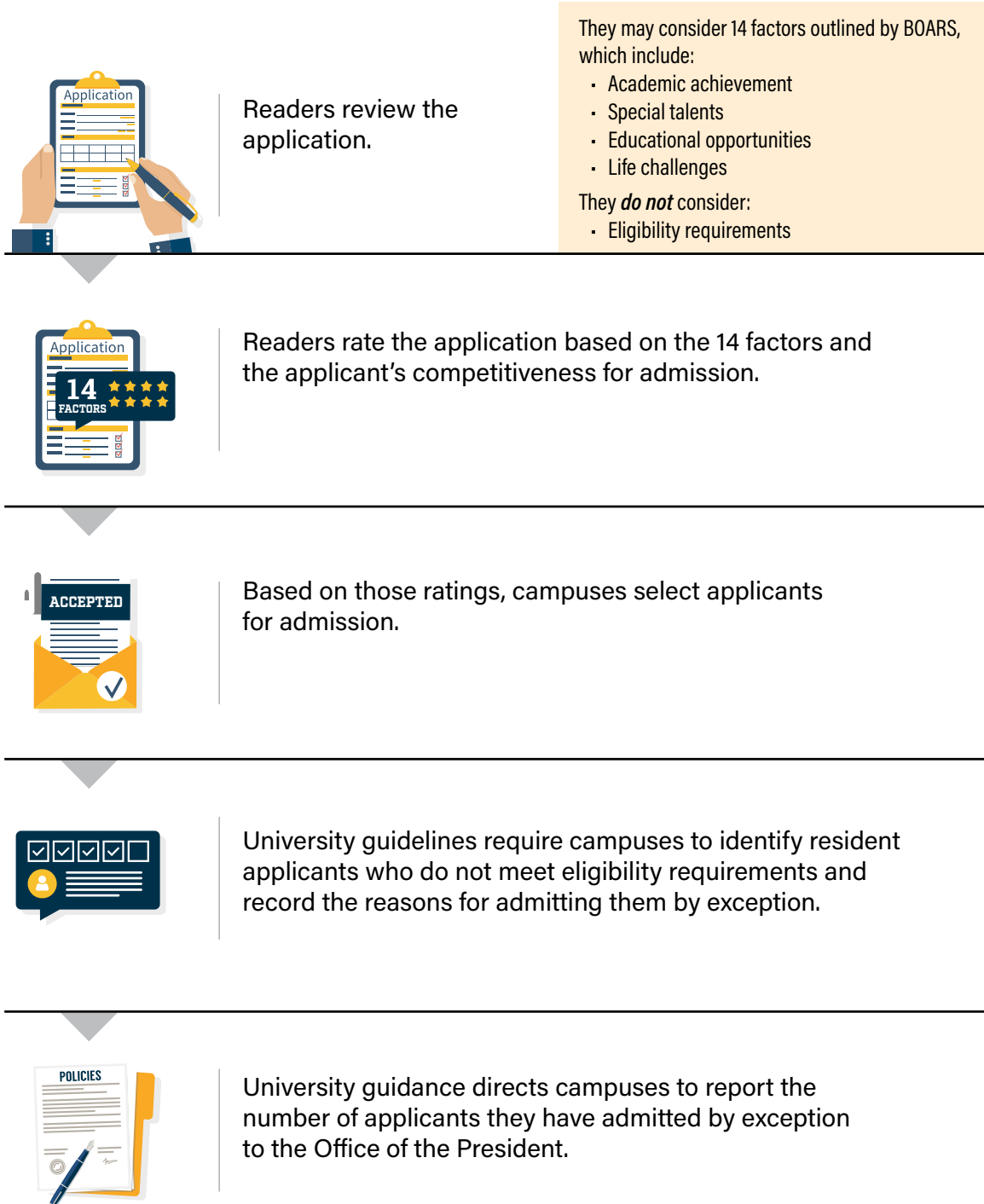
Campuses may admit applicants by exception if they demonstrate "a strong likelihood of success or exceptional potential to contribute to the university." Campuses can consider applicants who fall into one of the following categories:

- They have overcome personal challenges that have affected their ability to meet eligibility requirements, including being low-income, refugees, first-generation college attendees, veterans, or have lived in foster care.
- They have had nontraditional educational opportunities that have affected their ability to meet eligibility requirements.
- They have demonstrated exceptional talent, accomplishments, or potential in athletics, performing arts, a specific academic area, leadership, or in contributing to the community.
- They would enable campuses to establish new majors.
- They possess academic achievements equivalent to eligible applicants but narrowly missed admissions requirements.

Source: BOARS's guidelines.

<sup>2</sup> In April 2020, BOARS issued updated guidelines related to admission by exception. Among other changes, BOARS narrowed the applicability of the guidelines to apply to only California resident applicants as opposed to nonresidents. This change is consistent with how the university has interpreted its admission by exception policy when assessing compliance in the annual reports that BOARS submits to the Regents. It also added guidance related to tracking and reporting these admissions to BOARS.

**Figure 1**  
Readers Do Not Consider Whether Applicants Meet University Requirements When Rating Applications



Source: Analysis of Regents' policy and BOARS's guidelines.

### The National College Admissions Scandal

In March 2019, federal prosecutors publicly announced their investigation into a college admission scheme that led to criminal charges against more than 50 people—including parents, college and university coaches, and a founder of a for-profit college counseling and preparation business—related to falsifying information to facilitate the admission of more than 30 students to more than 10 different universities. Because the university admitted two of these students, it was one of many academic institutions implicated in this investigation. Specifically, a former men’s soccer coach at UCLA pled guilty to accepting bribes in return for falsely designating two applicants as competitive athletes, one of whom UCLA admitted. Investigators found that another applicant whom UC Berkeley admitted had submitted fraudulent standardized test scores to UC Berkeley. In response to the federal investigation, in March 2019 the university initiated an internal audit of its systemwide and campus-specific admissions processes, which it completed in February 2020. The audit, which the campuses largely performed themselves, found weaknesses in several areas of the university’s admissions processes, including its processes related to athletic recruits and to admissions by exception. The audit recommended several improvements to strengthen campus admissions system processes.

The federal investigation’s identification of the two inappropriate admissions to the university generated concern from members of the public and the Legislature. At the direction of the Joint Legislative Audit Committee (Audit Committee), we reviewed the admissions processes at UC Berkeley, UCLA, and UC San Diego, with particular focus on the risk of improper influence in admissions decisions. We also reviewed the University of California, Santa Barbara (UC Santa Barbara), in the areas of our audit that related to student-athlete admissions.

## Campus Staff Took Advantage of Weaknesses in Admissions Processes to Inappropriately Admit 64 Students as Favors to Donors, Family, and Friends

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### Key Points

- Our review found that campuses admitted 64 applicants—in addition to the two identified in the federal investigation—for academic years 2013–14 through 2018–19 on the basis of their families’ donations to campuses or their connections to campus staff, leadership, and donors. These inappropriate admissions decisions subverted the university’s high standards for admissions and denied more qualified applicants educational opportunities.
- Campus staff falsely designated 22 of these applicants as student-athlete recruits because of donations from or as favors to well-connected families. Each campus we reviewed lacked sufficient processes for verifying that the applicants whom coaches identified as student-athlete recruits actually possessed experience or athletic talent in the sport that they purportedly played.
- UC Berkeley inappropriately admitted 42 other applicants who were connected to campus staff and donors. These applicants were less qualified than many others for whom the campuses denied admission. In fact, some of these applicants received the lowest possible scores on their applications. The involvement of multiple members of management at UC Berkeley in these inappropriate admissions demonstrates that campus leadership failed to foster a culture committed to the university’s principles of fairness in admissions decisions.

### In Violation of University Policy, the Campuses We Reviewed Admitted 64 Applicants Because of Their Families’ Donations and Connections

Because the university’s admissions process determines who has access to the high-quality education it provides, maintaining the integrity of that process is essential. The university has established high standards for its admissions process and has regularly stated that it bases admissions decisions on an applicant’s merit, achievement, and life experiences. Through those statements, the university has effectively affirmed that factors such as relationships to university staff, parents who are alumni, and financial gifts and donations have no place in admissions decisions.

Despite the paramount importance of adhering to its high standards, the university has admitted some students because of inappropriate factors. As Figure 2 shows, we found 64 applicants across all four campuses we reviewed whom the campuses admitted for academic years 2013–14 through 2018–19 because of donations from the applicants’ families or because of relationships with campus personnel, alumni, or prominent donors. The majority of these applicants were white and at least half had annual family incomes of \$150,000 or more. In most of these 64 cases, the campuses admitted the applicants even though those who reviewed their applications (readers) had determined that the applicants’ levels of achievement were not competitive for admission.

### Excerpts of UC Berkeley Coach Emails

#### Assistant Coach to Head Coach

*[The family's] recruiting agent called me up [...] to have a direct conversation about what needed to happen next with this kid. After beating around the bush for a little bit, he said the family has made it clear they would like to "add to the legacy of the [sports team] and their family at Berkeley" to the tune of \$[Amount redacted] donation. Figured I'd double check with you guys before I told him "thanks/no thanks."*

#### Head Coach to Assistant Coach

👍👍👍👍👍 \$[Amount redacted] upfront for this year?

#### Assistant Coach to Head Coach

*We didn't get that far into the conversation. . . wanted to touch base with you first and told him I'd get back to him later this week. . . but he sounded very serious.*

#### THREE DAYS LATER...

#### Assistant Coach to Recruiting Agent

*After getting a chance to discuss our conversation with the staff yesterday, [Head Coach] is open to opportunities and would like the chance to speak on the phone. If the [family] is willing to establish their legacy with Berkeley and [the sports team] very soon involving the figures you suggested, we've already identified specific short-term & long-term needs of the program. With this could \*possibly\* come early admission for [applicant] to facilitate the process & agreement. We would need [applicant's] transcripts, SAT/ACT test scores, a PDF of [their] complete application & a letter of recommendation from a recent instructor to speed the process along.*

Source: UC Berkeley email records.

For example, as the text box shows, UC Berkeley admitted one applicant as an athlete based on their family's ability to donate significantly to the athletics department.<sup>3</sup> This admission occurred despite the coaches' repeated assessment before the family's offer to donate that the applicant lacked the talent to compete at the campus. After the exchange the text box depicts, the applicant's family made a large donation to the team, and the coaches facilitated the applicant's admission. As we describe in the sections that follow, because of limitations in the evidence available for our review regarding the campuses' admissions processes, there were likely more inappropriate admissions at the campuses than the 64 we describe in this report.

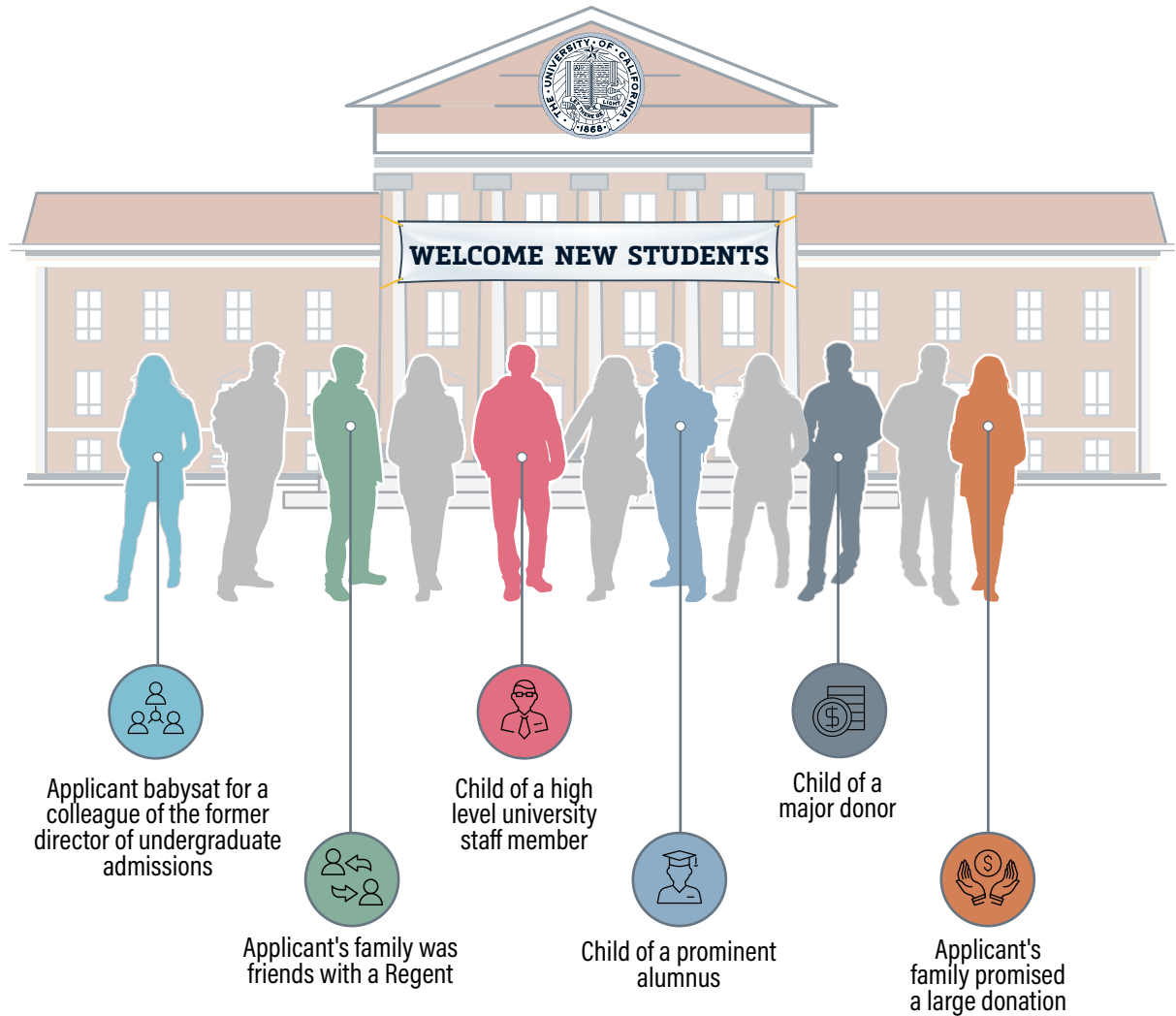
Campus staff were able to engineer many of these 64 inappropriate admissions—which we describe in further detail in the following sections—because the campuses failed to implement important safeguards against improper influence on admissions decisions. The missing safeguards include separating decision-making authority between multiple individuals to ensure that no single individual is responsible for an admission decision and validating key information about applicants before offering admission. Other missing safeguards include requiring staff involved in admissions decisions to disclose in advance any associations to external organizations, such as sports clubs, or to individuals who may apply in the upcoming admissions cycle. Further, a robust approach to protecting the integrity of admissions would include prohibiting communication between development staff—those responsible for donor relations—and those involved in admission activities. By adopting strong policies and providing training about inappropriate influence

in admissions decisions, the campuses could insulate the admissions process from improper interference. In the absence of these practices, staff at the four campuses took advantage of the gaps in admissions processes to the detriment of the university. When it does not maintain an admissions process free of inappropriate influence, the university risks admitting applicants because of their families' connections or wealth while depriving other more qualified applicants of the opportunities that they have earned.

<sup>3</sup> To protect the identities of the applicants we describe in this report, we withhold certain details regarding the circumstances of their admissions and avoid the use of gendered pronouns.

**Figure 2**  
The University Admitted 64 Students Based on Inappropriate Factors

The University admitted **64 STUDENTS** based on factors that favored wealthy and well-connected applicants:



**These applicants were less qualified than other applicants to whom the campuses denied admission.**

Source: Analysis of admissions records, donations, and athletics participation at UC Berkeley, UCLA, UC Santa Barbara, and UC San Diego from academic years 2013–14 through 2019–20.

## Coaches and Athletic Staff Falsely Designated 22 Applicants as Qualified Athletes as Favors to Donors and Friends

At each campus, coaches and athletic staff designate applicants whom they want to recruit for their teams as prospective student athletes. Campuses may eventually admit these prospective student athletes with the understanding that they will bring a valuable talent to a campus athletic program. As the text box shows, we reviewed prospective student-athlete admissions from academic years 2013–14 through 2018–19 for at least six sports teams at each of four campuses: UC Berkeley, UCLA, UC San Diego, and UC Santa Barbara. We found 22 instances in which coaches at those campuses designated applicants as prospective student athletes

and each of the following was true: the applicants lacked the necessary athletic qualifications; they did not substantially participate on the team for which they were recruited; and evidence indicates that donations or potential donations to the university, a family's level of influence, or familial connections influenced the decision to designate the applicants as student athletes.

In some cases, the campus appeared to admit the applicants in exchange for donations to the athletic department. Figure 3 depicts one of these cases, in which a UC Berkeley coach facilitated the admission of an applicant as a prospective student athlete, even though the applicant had played only a single year of the sport in high school and at a low level of competition. After admission, the applicant's family donated several thousand dollars to the team. However, the applicant never competed with the team, and the coaches removed the applicant from the team after the season ended.

Additionally, coaches designated some applicants as prospective student athletes because of their connections to campus personnel or influential alumni and donors. For example, a coach at UC Santa Barbara (Coach 1) worked with a different team's coach (Coach 2) to admit an applicant for Coach 2's team who was initially denied admission during the standard application process. The applicant's family were donors to Coach 1's team and also donated to Coach 2's team at the same time their child applied for admission.

### Inappropriate Admissions of Prospective Student Athletes

We reviewed prospective student-athlete admissions for at least six of the following teams at each campus:

- Men's soccer
- Women's soccer
- Men's crew
- Women's crew
- Men's track and field
- Women's track and field
- Men's golf
- Women's golf
- Men's water polo
- Women's water polo
- Men's swimming
- Women's swimming
- Women's basketball
- Men's tennis

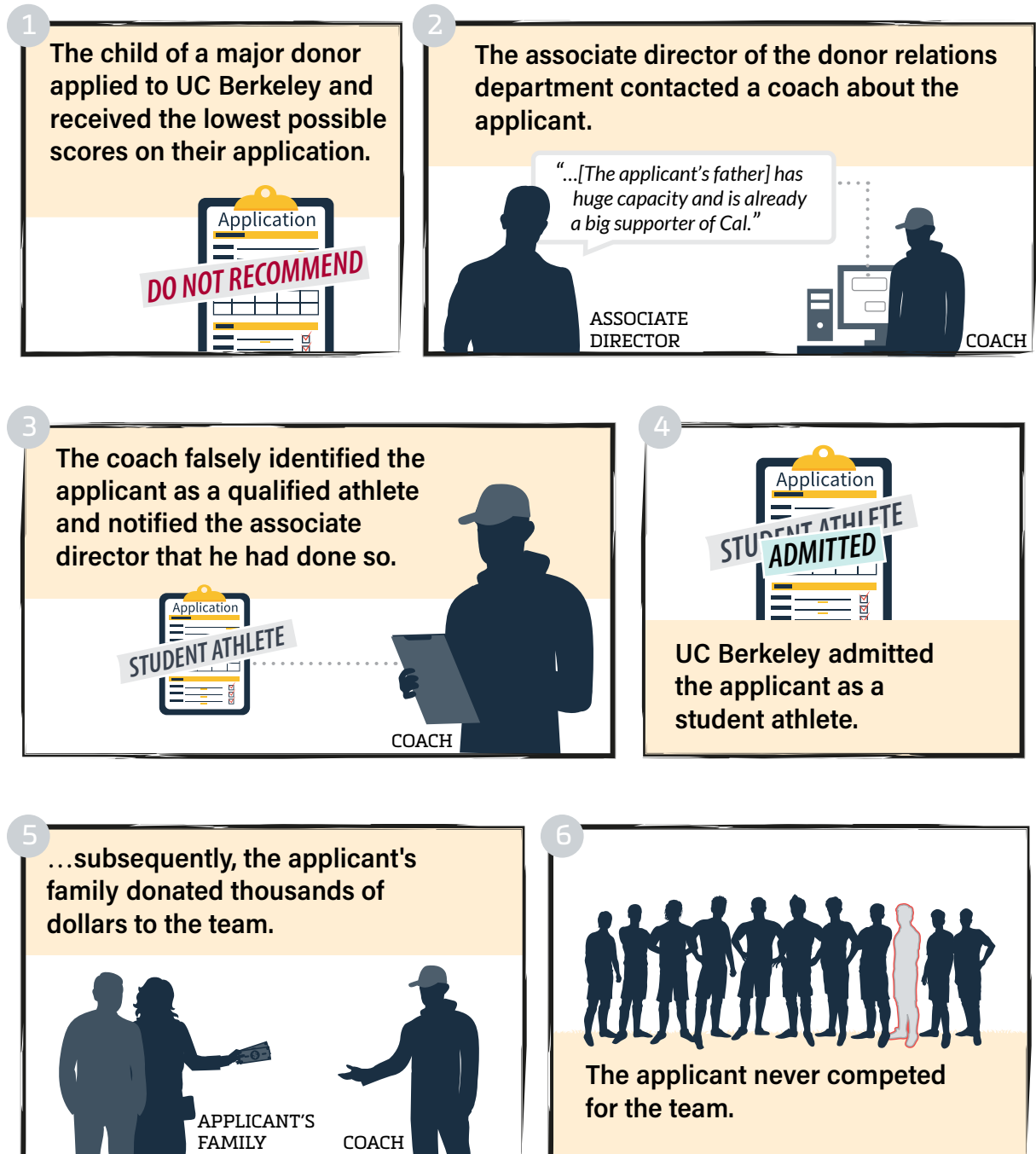
We found that each campus inappropriately admitted the following number of applicants as student athletes:

- UC Berkeley: 13
- UCLA: 4
- UC San Diego: 1
- UC Santa Barbara: 4

Source: Analysis of applications, admissions data, email records, and athletics records at each campus.

**Figure 3**

Staff at UC Berkeley Used Vulnerabilities in the Athletics Admissions Processes to Admit an Unqualified Applicant



Source: Analysis of admissions records, athletics records, donations, and emails at UC Berkeley.

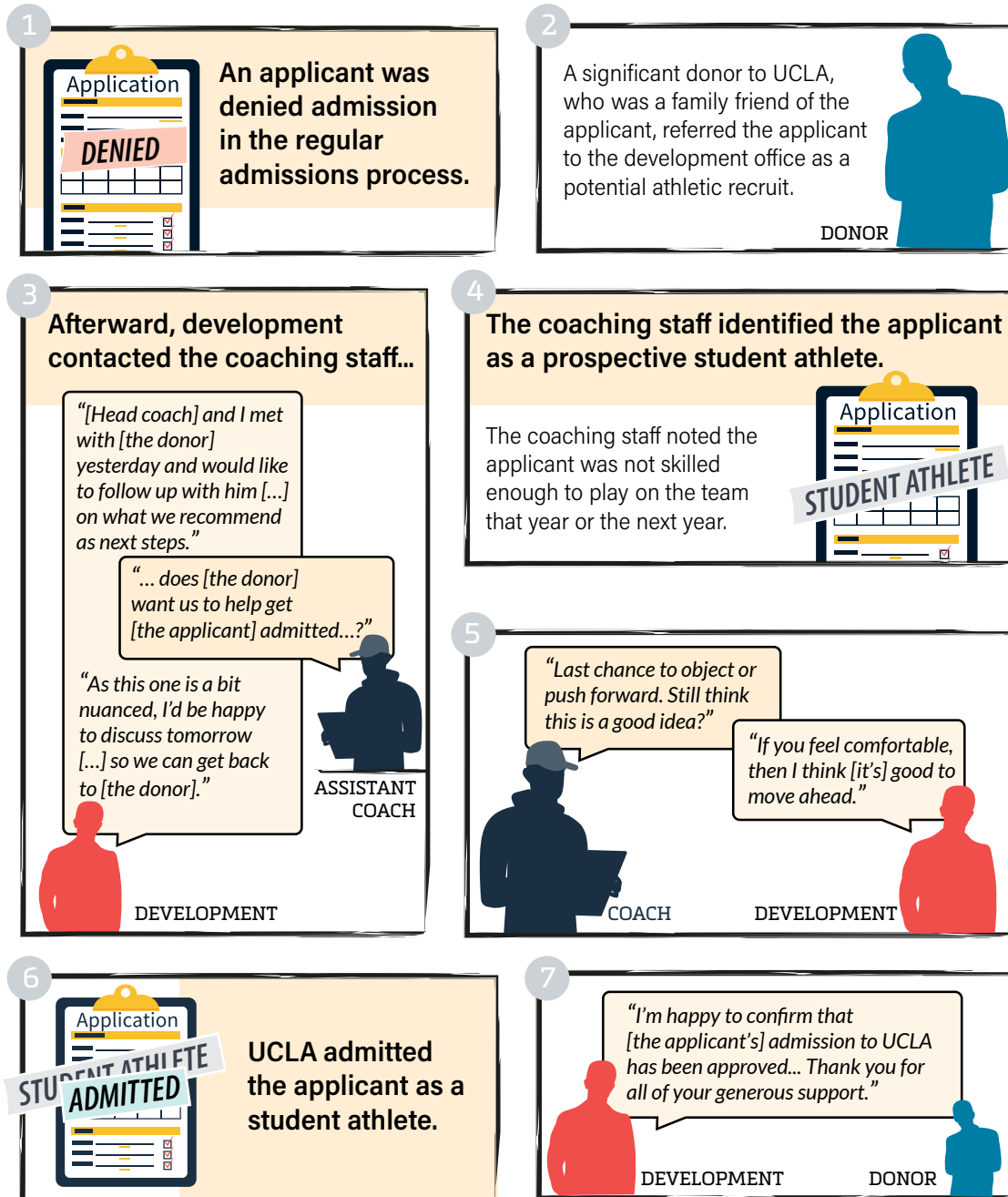
After Coach 2 requested the applicant's admission, UC Santa Barbara's admissions department questioned the applicant's qualifications, prompting several emails between Coach 1, Coach 2, and the applicant's father. In one email, Coach 1 asked the father if the applicant's high school coach could "put something together" that would demonstrate the applicant's talent and referred to the admissions process as a "game." The high school coach eventually submitted a letter of recommendation that included little detail about the applicant's athletics skill and instead focused on the applicant's personality. UC Santa Barbara then admitted the applicant as a student athlete despite never receiving any additional evidence of athletic qualifications. Additionally, we found no evidence the applicant ever competed for the team.

**Coach 1 asked the father if the applicant's high school coach could "put something together" that would demonstrate the applicant's talent and referred to the admissions process as a "game."**

In a similar example at UC San Diego, the coach of one team (Coach 1) asked the coach of another team (Coach 2) to facilitate the admission of an applicant who was the friend of a UC San Diego athletic board member. In an email to the athletics director, Coach 2 stated that Coach 1 shared with him that the board member "had helped out with scholarships, etc. in the past, and if we could help [the board member], it may help the department." Although Coach 2 noted that the applicant was not a normal recruit and "did not have the grades to get in on [their] own," he facilitated the admission of the applicant. Coach 2 said he did so because he wanted to help the board member and the applicant "looked like an ok recruit." The applicant never participated on the team. Coach 2 further stated in the email to the athletics director that he was "not happy to be used in that manner," explaining that the "board member used me to get his family friend's kid in UCSD," and noting that, "[the applicant] wasn't going to get in otherwise." Finally, the coach wrote that he "would handle this differently if it wasn't for [the applicant's] relationship to [UC San Diego's] board member."

Figure 4 shows an example at UCLA where a coach facilitated the admission of an applicant after a member of the development office—which is the department responsible for fundraising and donor relations—advocated for the applicant's admission on behalf of a donor. Although we found the applicant participated in high school in the sport for which they were recruited, we found that they were significantly less qualified than other recruits to the team, and they did not meaningfully participate on the team for UCLA.

**Figure 4**  
At UCLA, Development Staff and Coaches Admitted an Applicant Because of a Connection to a Donor



Source: Analysis of admissions records, athletics records, donations, and emails at UCLA.

It is unlikely that the 22 applicants we found represent the true number of applicants whom coaches falsely identified as prospective student athletes to gain the applicant's admission because of their connections to donors or influential individuals. First, we reviewed athletes for only a fraction of the athletic teams at each of the campuses. Further, even among those teams, we identified more than 400 athletes who did not appear on their teams' rosters for more than their first year at that campus—indicating they stopped participating in that sport. Among that group were several athletes who had questionable circumstances surrounding their admission whom we did not count in our total of inappropriate admissions. Some of these athletes had limited or nonexistent athletic qualifications, while others were related to campus staff or a prominent donor. Others were immediately made into a team manager, indicating that the coaches never intended for the applicant to compete on the team. For example, one applicant we reviewed was only admitted after the coach rushed the applicant through the athletics admissions process a few months before the start of the academic year. Yet our review found no evidence that this applicant ever played the sport they were recruited for, and the applicant never appeared on the team's public roster. Although the timing of this admission and its circumstances were outliers when compared to other recruiting and admissions activity, we found no evidence of impropriety. In fact, we concluded that an applicant's admission was inappropriate and included them among the 22 we discuss in this report only when we identified definitive evidence, such as the emails that we described above, that the applicant's admission was improperly influenced by their connections.

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**Some of these athletes had limited or nonexistent athletic qualifications, while others were related to campus staff or a prominent donor.**

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***The Campuses' Weak Processes and Inadequate Oversight of Athletics Admissions Processes Allowed These Inappropriate Admissions to Occur***

The campuses' athletics admissions processes are open to abuse because they allow for a large percentage of applicants to gain admission on the basis of much different considerations than the general applicant pool, and there is inadequate oversight of these admissions processes. For example, from academic years 2017–18 through 2019–20, UCLA's committee for reviewing student-athlete applicants admitted about 98 percent of the cases it reviewed for fall admission. The other campuses admitted a significant majority of student-athlete applicants as well. In contrast, the four campuses admitted from 14 percent to

32 percent of all applicants. Further, in recognition of the special talents that the prospective student athletes would bring to the campus, the admissions process does not hold them to the same academic or application review standards as the general applicant pool. For example, the average grade point average for the bottom quartile of applicants whom UCLA admitted for academic year 2019–20 was 4.15, but the average grade point average for its admitted student athletes was 3.74.<sup>4</sup> Similarly, two-thirds of the admitted student athletes whom UC Berkeley evaluated through its holistic review process for academic years 2017–18 through 2019–20 received the lowest possible rating from its application readers—which is equivalent to a recommendation that the applicant be denied admission. In combination, the high acceptance rate and lower standards in key areas of applicant review elevate the risk of inappropriate influence during the admissions process because they make admission as a prospective student athlete an attractive option for applicants who are not academically competitive for admission through the regular admissions process.

Further increasing this risk is the degree to which many teams—including many of the teams that we reviewed—rely on donations as a revenue source. For example, from 2014 through 2019, 75 percent of the UC Berkeley men’s tennis team’s budget came from donations. Generally, coaches at the campuses are contractually responsible for fundraising for their teams and use that funding to pay for expenses such as team travel, athletic scholarships, and salaries for coaches and support staff. Their reliance on donations to support the continued existence of their teams can put pressure on coaches to use their significant influence over the admissions process to falsely designate applicants as qualified athletes to cultivate a positive relationship with prospective or existing donors.

.....

**Reliance on donations to support their teams can put pressure on coaches to use their influence over admissions to falsely designate applicants as qualified athletes.**

.....

Despite the vulnerability to abuse in the athletics admissions process, none of the four campuses we reviewed implemented effective safeguards against inappropriate admissions activity in the years leading up to the national admissions scandal. A primary safeguard

<sup>4</sup> Nearly 6 percent of students and 21 percent of athletes did not have a grade point average in the applications data. Students may not have a grade point average in the data because their high schools use a grading system that does not easily convert to the standard scale or the students did not provide enough information on their application to calculate their grade point average.

is to have someone independent of the athletics department verify that all prospective student athletes possess talent that qualifies them as legitimate recruits. Instead of this independent verification, the campuses largely relied on coaches' assertions that prospective student athletes were athletically qualified. At UC San Diego, neither the athletic department nor undergraduate admissions verified the athletic talent of applicants whom coaches identified. Although UC Berkeley and UC Santa Barbara established policies for reviewing the talent of prospective student athletes, we judgmentally selected 10 athletes at each of these campuses to determine whether the campus had verified talent before admitting the student. Neither campus was able to provide evidence proving the campus had actually performed this talent review. UCLA was able to provide documentation that it carried out a talent review of the non-scholarship prospective student athletes we had selected for review. However, a single employee within the UCLA athletics department performed this verification and did not perform the review for scholarship athletes. In the absence of thorough and independent talent verification, the campuses allowed the 22 cases of inappropriate admissions we identified.

A similar, secondary safeguard is verification that student athletes participate on the teams for which a campus recruited them. Although some student athletes may leave a team because of injuries or other legitimate reasons, we found that a student athlete participating for less than one year is a possible warning sign that the athlete was admitted inappropriately. However, during the years we reviewed, only two of the campuses—UC Berkeley and UCLA—had policies that required student athletes to participate in their sports for a minimum time period of at least one year. Although these policies also required UC Berkeley and UCLA to track whether student athletes remained on a roster, none of the campuses we reviewed had policies for adequately investigating the circumstances of the admission of athletes who quit the team soon after admission.

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**None of the campuses had implemented adequate processes to ensure that donations did not play a role in the admissions process.**

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A robust set of safeguards should also address the risk of inappropriate influence through donations. A regular review of financial contributions to the university matched against future and past athletic admissions decisions could prevent and deter admissions decisions based on donations. However, none of the campuses had implemented adequate processes—such as an independent review of prospective and recently admitted student athletes for associated donation history—to ensure that donations did not play a role in the admissions process. If UC Berkeley

had been monitoring for donations, it likely would have identified those made by the family of the prospective student athlete that Figure 3 features, and it could have investigated further.

### ***The University Has Not Made Sufficient Changes Following the National College Admissions Scandal***

In response to recently publicized issues—including a soccer coach at UCLA who admitted to falsely designating two applicants as prospective student athletes in exchange for money—and the systemwide internal audit, the campuses we reviewed began implementing some safeguards for the athletics admissions process. However, despite the implementation of these additional safeguards, none of the campuses have fully addressed the gaps in their athletics admissions processes. Although each campus has established a process for verifying athletic talent, only UCLA and UC Santa Barbara plan to require verification of talent for all prospective student athletes. UC San Diego is planning to verify the athletic talent of only the prospective student athletes to whom it does not offer athletic scholarships. UC Berkeley’s plan is similar to UC San Diego, with the exception that it also plans to review prospective student athletes to whom the campus plans to offer minimal scholarships of about 2 percent. However, scholarship athletes also represent a risk with respect to inappropriate admissions activity; a small number of the 22 applicants admitted inappropriately were scholarship athletes, highlighting the importance of reviewing all prospective student athletes. Athletics staff at UC San Diego stated that they do not plan to verify the talent of scholarship athletes because they believe that the additional level of effort would not significantly reduce the risk of inappropriate admissions activity. In contrast, the director of athletic compliance at UC Berkeley explained that not verifying the talent of all prospective student athletes likely presents a risk, but that performing those verifications would strain the athletics department’s resources.

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### **Scholarship athletes represent a risk with respect to inappropriate admissions activity.**

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UCLA’s new process for verifying the athletic talent of prospective student athletes, if implemented systemwide, could strengthen the university’s safeguards against improper influence in athletics admissions. Specifically, UCLA has begun establishing criteria for each sport that prospective student athletes must meet to be recruited, such as specific times within which an athlete must run a

specified distance or specific athletic rankings an athlete must achieve. Evidence of meeting these criteria must come from reputable sources. The other campuses we reviewed have not implemented a similar policy; however, such a policy could reduce the risk that a coach would be able to facilitate the admission of an unqualified applicant.

Additionally, UC Santa Barbara has updated its policies to require that a committee composed of faculty and admissions staff review talent documentation for all prospective student athletes, increasing the independence of the talent verification process. In contrast, UCLA, and UC San Diego have established policies for verifying athletic talent that delegate that responsibility to their athletic departments. As a result, the staff performing the reviews may be subject to internal pressure to inappropriately approve a prospective student athlete's qualifications. Although UC Berkeley's policy requires both athletics staff and a staff member in the office of undergraduate admissions to verify some applicants' athletic talent, we selected 10 applicants to assess whether the campus was actually performing these verifications and found it had not for any of those 10 applicants. Requiring verification by individuals outside of the athletics department, such as from the office of admissions or internal audits, would better ensure the objectivity of a review.

Finally, none of the campuses have implemented complete reviews of applicants admitted through the athletics admissions process to determine whether donations—both preceding an admissions decision and also received in the year following the admission—inappropriately factored into their admission. Policies that UC Berkeley, UCLA, and UC San Diego recently adopted provide that the campuses will check for donations connected to recruited athletes at the time of admission, while UC Santa Barbara has implemented a process for checking the donation history related to all applicants to whom they are considering offering admission. However, we observed that donations that were connected to inappropriate admissions also occurred after applicants were admitted,

as Figure 3 demonstrates. Until the campuses address this gap, they risk further abuse of their admissions processes, which undermines the credibility of the university and the integrity of the admissions process.

#### **UC Berkeley Admitted Applicants Because They Were Connected to:**

- Donors and potential donors
- Campus staff
- Campus managers
- Managers at other university campuses
- A manager from a local education program
- A colleague from a small private college
- A counselor from a local high school

Source: Analysis of UC Berkeley's admissions records.

#### **UC Berkeley Frequently Gave Preferential Treatment to Relatives and Friends of Faculty, Staff, and Donors**

At UC Berkeley, improper influence on admissions decisions was not limited to its athletics department. Multiple staff in its admissions office were involved with admitting 42 additional applicants because of their relationships to donors, university staff, and others for academic years 2016–17 through 2018–19 as indicated in the text box. As a result of the staff

members' actions, these 42 applicants took spots that would otherwise have belonged to applicants who had received higher ratings. Each of these 42 applicants received reader ratings that made it unlikely they would receive an offer of admission.<sup>5</sup> These admissions occurred even though UC Berkeley's own policies identified that a fundamental principle of its admissions process was that it would not give preference to applicants because they were related to donors, alumni, or employees of either the campus or the university. However, UC Berkeley's leadership failed to uphold this principle and, in doing so, failed to uphold the university's commitment to an admissions system based on merit and achievement.

We identified that UC Berkeley admitted 17 of the 42 applicants because of their connections to donors or potential donors. These admissions occurred after UC Berkeley's development office—which is responsible for the campus's fundraising and donations—referred the applicants to the admissions office. In most cases, the executive director of operations at the UC Berkeley Foundation within the development office made these referrals. In one case, the development office referred a potential applicant to admissions staff so that they could meet with the applicant in person. An assistant director in the admissions office then informed the former admissions director that she would meet with the “VIP student... whose family is [a] potential donor.” After the applicant applied to UC Berkeley, the former admissions director was the first person to read and rate the application, assigning it a rating of *Strongly Recommend*. The former admissions director then admitted the applicant, despite the fact that the second application reader gave the applicant the lowest possible rating of *Do Not Recommend*.

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**UC Berkeley admitted 17 of the 42 applicants because of their connections to donors or potential donors.**

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Each of these 17 applicants received uncompetitive ratings from application readers such that they were unlikely to be admitted to UC Berkeley without the referral they received from the

<sup>5</sup> Our assessment of the likelihood of admission is based on the rates of admission for academic years 2017–18 through 2019–20. Some of the 42 inappropriate admissions come from the academic year 2016–17 admissions cycle. Consistency in admission rates by reader rating from academic years 2017–18 through 2019–20 and a similar overall admission rate for academic year 2016–17 indicate that the likelihood of admission in academic year 2016–17 was likely similar to the period for academic years 2017–18 through 2019–20.

development office. In fact, five of these applicants received the lowest possible rating from both of UC Berkeley's application readers. Under normal circumstances, these application scores would have resulted in denial of admission.

UC Berkeley admitted another 11 of the 42 applicants because of their connections to campus staff, university staff, or the acquaintances of campus staff, such as the enrollment director for a private college who was a colleague of UC Berkeley's former admissions director. In one example, admissions staff requested that an applicant receive additional consideration because the applicant was the child of a director-level UC Berkeley staff member. Although the applicant had already received a *Do Not Recommend* score from both application readers, UC Berkeley admitted the applicant without any justification for doing so. In a similar example, the former associate dean of students contacted the former director of admissions through email and asked the director to conduct an additional review of an applicant. The former director of admissions responded, "Shhhh. You have to keep it a secret, but good news is coming [the applicant's] way." UC Berkeley admitted this applicant even though the applicant had received the lowest possible application rating from both readers, again without any justification. Without connections to campus staff members, these applicants almost certainly would not have been admitted.

UC Berkeley also admitted another 14 of the 42 applicants from its waitlist because of their connections to donors, staff, and influential individuals. Like other campuses, after selecting applicants for admission, UC Berkeley offers certain other applicants a place on its waitlist, from which it admits additional students as space allows. To be admitted from the waitlist, applicants must accept a waitlist offer by "opting in" to the waitlist. Only a small percentage of applicants receive a waitlist offer, and admission from the waitlist is competitive. For academic year 2018–19, UC Berkeley offered a place on the waitlist to only 10 percent of applicants who were not offered admission, and it admitted 34 percent of the applicants who opted-in to the waitlist. According to the campus's public *Frequently Asked Questions* document about the waitlist process, UC Berkeley focuses primarily on the content of the original application when making decisions about whom it will admit from the waitlist. However, it is unlikely that UC Berkeley admitted these 14 applicants because of their original applications. In all 14 cases, the applicants received uncompetitive scores from readers that gave them poor chances of being admitted. Rather, these applicants' connections to donors, staff, or influential individuals drove the decision to admit them.

One case from these 14 admissions decisions is particularly problematic. UC Berkeley appears to have admitted this student because of an inappropriate letter of support from a

university Regent. University policy states that members of the Board of Regents should not seek to influence inappropriately the outcome of admissions decisions beyond sending letters of recommendation, when appropriate, through the regular admissions process. However, the Regent did not submit this letter through the regular admissions process. Rather, after the campus placed this applicant on its waitlist, the Regent wrote a letter to UC Berkeley's chancellor advocating for the applicant, and the chancellor's staff sent the letter to UC Berkeley's development office, which in turn forwarded the letter to the admissions office.

As indicated above, admission from the waitlist is not guaranteed, with most applicants still being denied even after being waitlisted. This applicant had only about a 26 percent chance of being admitted to UC Berkeley on their own based on the ratings that readers had assigned their application. The email records we reviewed indicate that staff in the admissions office consulted with the development office about who should be admitted from the waitlist. The admissions office also prioritized the admission of applicants on the waitlist whom staff had recommended, as well as applicants on a list that the former admissions director created. It is therefore likely that the applicant whom the Regent recommended would have been on a list that received priority admission from the waitlist. Given the low likelihood of this applicant's admission and the prominent and influential role that Regents have within the university, we conclude that the decision to admit this applicant was likely influenced by the Regent's advocacy.

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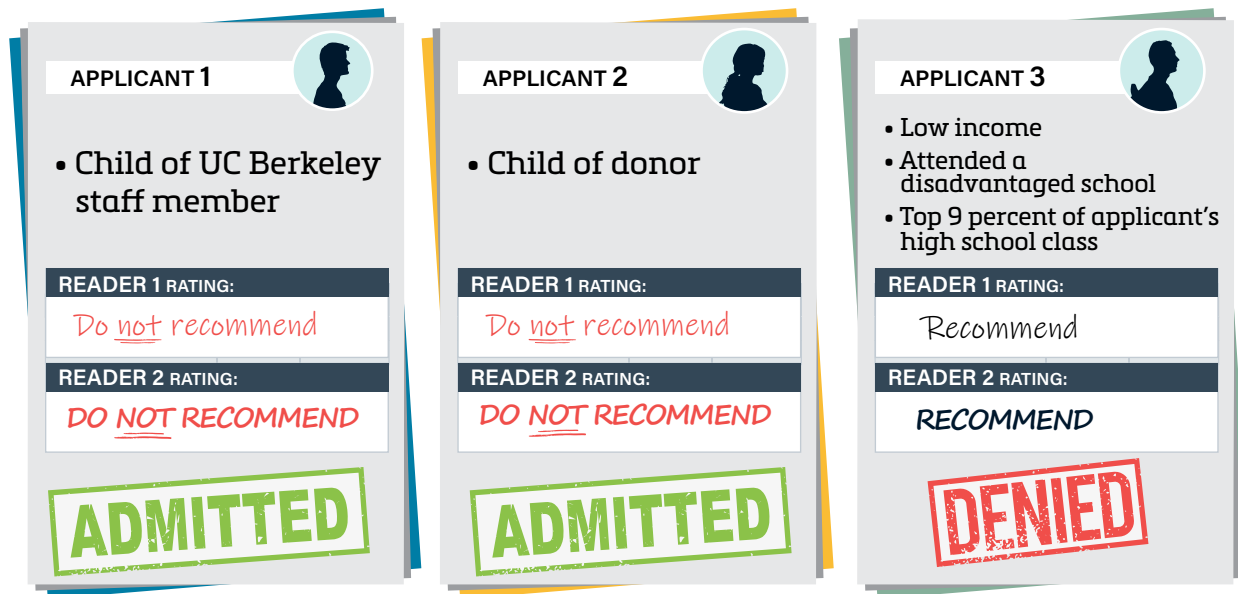
**Applicants who were connected to donors and staff took the places of other applicants whom UC Berkeley had determined were more qualified for admission.**

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UC Berkeley admitted these 42 applicants while denying admission to many others whom its application readers had rated more highly. As Figure 5 illustrates, applicants who were connected to donors and staff took the places of other applicants whom the campus had determined were more qualified for admission. Although all of these 42 applicants received scores that gave them a low chance at admission, two-thirds of the 42 applicants had a less than 10 percent chance of admission to the campus. Moreover, 13 applicants had the lowest possible application ratings, which under normal circumstances would have resulted in virtually no chance of admission. Given the low ratings that readers had assigned to these applicants and the absence of any other documented reason for admitting them, we conclude their admissions were based on their connections to campus staff or other influential individuals.

UC Berkeley allowed campus staff to request special consideration for these applicants through three different processes. First, UC Berkeley’s admissions office maintained consistent communication with its development office over multiple years. In those interactions, the development office often provided the admissions office with the names of applicants connected to donors and potential donors. In one of the years we reviewed, the development office indicated which of the applicants were “priority.” UC Berkeley admitted every applicant that the development office indicated was a priority. None of these applicants had received ratings on their applications that would have made them competitive on their own merit for admission to UC Berkeley.

**Figure 5**  
UC Berkeley Admitted Children of Staff and Donors Instead of More Qualified Applicants



Source: Analysis of UC Berkeley admissions records.

The former admissions director also openly invited staff to send her names of family and friends who had applied so that she could personally review the applications. In 2014, 2015, and 2016, the former admissions director sent an email to UC Berkeley staff offering to review the applications of applicants they might know, in one year describing that she was doing so “in the spirit of professional camaraderie.” Although she noted in her email that university policies do not allow the admissions office to consider the alumni status of an applicant’s family or any other special interests, UC Berkeley then admitted some applicants for whom

campus staff requested that the former admissions director provide a “second look,” even when the ratings the applicants had received from readers were not competitive in comparison to the rest of the applicant pool.

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**UC Berkeley allowed admissions staff to request preferential treatment for relatives and donors by using a process intended to benefit applicants who come from disadvantaged backgrounds.**

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Finally, UC Berkeley allowed admissions staff to request preferential treatment for relatives and donors by using a process intended to benefit applicants who come from disadvantaged backgrounds. UC Berkeley allows admissions staff to nominate applicants for additional consideration by placing them on a list it calls the *prospect list*. The emails that UC Berkeley’s admissions leadership sent to admissions staff indicate that the prospect list is for applicants who participate in UC Berkeley’s outreach programs, which generally assist disadvantaged high school and transfer students in preparing for and applying to college. The emails from the two more recent years—2018 and 2019—also state that the staff could add “other applicants to watch.” Although the majority of applicants whom admissions staff nominated were connected with these outreach programs, staff also placed applicants on the prospect list for inappropriate reasons, including the applicants’ connections to donors, staff, and faculty. UC Berkeley admitted several of these applicants while denying admission to similar or better-rated students whom staff legitimately had placed on the prospect list because they had participated in a campus outreach program—the very applicants whom the prospect list was supposed to benefit.

It is unlikely that the inappropriate admissions that we describe in this section represent the total number of applicants whom UC Berkeley admitted as a result of inappropriate considerations. Although we found evidence that indicates that the development office provided a list of applicants to the admissions office in 2017 as well, we were unable to locate that list among the email records we reviewed. Further, the records we reviewed indicated that the admissions office had been soliciting requests for preferential treatment from campus staff before the period we reviewed. Therefore, it is possible—if not likely—that UC Berkeley admitted additional applicants because of their connections to donors and staff beyond those that we have reported.

The university's admissions guidelines indicate campuses should ensure a fair and merit-based admissions process. These inappropriate admissions occurred because UC Berkeley's leadership failed to develop a campus culture to support such a process. Responsibility for reinforcing the principles of fairness and merit-based decision making lies primarily with campus leadership, who must communicate and visibly adhere to clear expectations that applicants will be evaluated and admitted based solely on their merit and achievement. Instead of adhering to these principles, managers within the admissions office—including the former admissions director—participated in admitting these 42 applicants. Staff holding leadership positions in the admissions office communicated freely with UC Berkeley's development office and facilitated the admissions of donors' children. Staff from all over the campus advocated for their own relatives and friends. The former admissions director's open invitation to staff encouraged this inappropriate advocacy, modeling the idea that preferential treatment for relatives of staff was acceptable.

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**These inappropriate admissions occurred because UC Berkeley's leadership failed to develop a campus culture that supports a fair and merit-based admissions process.**

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The current director of undergraduate admissions, who was not in his position at the time that these inappropriate admissions occurred, agreed that the preferential treatment we observed is unacceptable, and that donor status, legacy, and relation to faculty and staff should not influence admissions decisions. He stated that he was surprised and disappointed that this preferential treatment occurred despite the existence of campus policies prohibiting those types of considerations in admission.

The presence of some procedural safeguards to prevent improper influence, including conflict-of-interest forms that staff were asked to complete and the involvement of multiple reviewers in some decision making, did not deter the unethical behavior that UC Berkeley staff displayed when making these inappropriate admissions, demonstrating that such safeguards are not sufficient on their own. Given the pervasiveness of this problem and seriousness of our findings, correcting the deficiencies in UC Berkeley's culture and approach to admissions will require more significant intervention than establishing additional, similar safeguards. Despite the presence of a new director of undergraduate admissions, university leadership must assume a

more active role in UC Berkeley's admissions process until the campus demonstrates that it can operate its admissions process free of improper influence and in accordance with university standards. Until UC Berkeley establishes a culture where management communicates, models, and enforces expectations of a fair and merit-based admissions process, it risks continued preferential treatment for relatives and friends of university donors, staff, and faculty. Such preferential treatment undermines the fairness and integrity of the admissions process by rewarding the opportunities a UC Berkeley education offers to applicants who are well connected rather than to those who are better qualified and more deserving.

### Recommendations

To protect the fairness and integrity of its admissions processes, the Office of the President should establish systemwide protocols for admissions processes by the fall 2021 admissions cycle that prohibit the following:

- Giving authority to any one person to make a final admissions decision.
- Consideration of an applicant's familial or other personal relationships to university staff or faculty in an admissions decision.
- Communication between a campus's development office and its admissions office about applicants and prospective applicants.

To protect the campuses' athletics admissions process from abuse, the Office of the President should require each campus to do the following by the fall 2021 admissions cycle:

- Have at least two reviewers verify the athletic talent of all prospective student athletes before their admittance. At least one of these reviewers should be from a department other than the athletics department. Each campus should develop standards for the level of talent that prospective student athletes for each of its teams must possess and then use those standards to verify the talent.
- Track student athletes' participation in the sport for which they were recruited. If a student does not participate in the sport for longer than one year, the campus should determine the reason why the athlete stopped participating and, if necessary, conduct a review of the circumstances that led to the student's admission to identify signs of inappropriate admissions activity.

- Review donations to athletic programs to determine whether those donations made before or after an athlete's admission may have influenced the athletic department's decision to request the athlete's admission.

The Office of the President should immediately require staff involved in making or informing admissions decisions to report all attempts to influence admissions decisions, regardless of source, to their supervisors or to the director of undergraduate admissions.

Beginning with the fall 2021 admissions cycle, the Office of the President should oversee UC Berkeley's admissions process for at least three years. The Office of the President should ensure that all admissions decisions are merit-based and conform to the university's policies on admissions. Further, the Office of the President should facilitate the establishment of a culture of ethical conduct in admissions by providing regular training to admissions and development staff, conducting reviews of admissions decisions, and monitoring the admissions office's communications about applicants to ensure no inappropriate factors influence admissions activities.

## Campuses Lack Key Criteria and Standards to Support Their Admissions Decisions

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### Key Points

- UC Berkeley and UCLA have not established criteria for selecting from among the thousands of applicants who apply each year. Because of the campuses' lack of criteria, it is unclear why—in addition to the inappropriate admissions we describe in the previous sections—they have frequently admitted applicants with lower ratings while denying admission to applicants their readers have more highly recommended.
- All three campuses we reviewed selected applicants for admission who did not meet university eligibility requirements, but could not demonstrate that they had identified those applicants as ineligible, and had not documented a rationale for admitting many of those applicants.

### Campuses Have Not Established Adequate Criteria for Their Admissions Decisions, Limiting Consistency and Transparency

As the Introduction describes on page 6, readers at each campus review and rate applications based on the applicants' levels of academic and nonacademic achievement. However, once readers rate applications, a campus must choose the applicants to whom it will offer admission. To ensure accountability in the admissions process and in recognition that this process should be transparent, valid, and equitable, BOARS states that each campus should develop the methodology it will use for selecting applicants. BOARS further explains that a campus should develop its methodology based on its goals and priorities. These priorities may include majors or areas of study that it wishes to expand or types of achievement that it desires in its student body. For example, if a campus determines that a priority is student activity in community service, it may implement a selection methodology to choose applicants with a history of community service.

Despite BOARS's guidance, UC Berkeley and UCLA have not developed methodologies for selecting from among the thousands of applicants who apply each year for admission. In the absence of any documented criteria for selecting applicants, it is unclear why UC Berkeley and UCLA have admitted certain applicants while denying others. In our review of the campuses' admissions decisions for academic years 2017–18 through 2019–20, we found that the two campuses' decisions often did not reflect their readers' ratings of applicants, as Figure 6 illustrates. For example, for academic year 2019–20, UCLA admitted into the College of Letters and Science only 18 percent—or about 1,000—of the applicants whom its application readers rated *Recommend for Admission*. However, in that same year, UCLA admitted into the College of Letters and Science more than 1,100 applicants whom its application readers rated lower than *Recommend for Admission*, including some whose ratings indicated that they were not competitive enough to be recommended for admittance. Given that these ratings represent the campus's assessment of how competitive an applicant is for admission, and that UCLA's scoring guidance states that it will admit applicants based on those ratings, it is unclear why UCLA would admit applicants whom it determined were less competitive than others it denied.

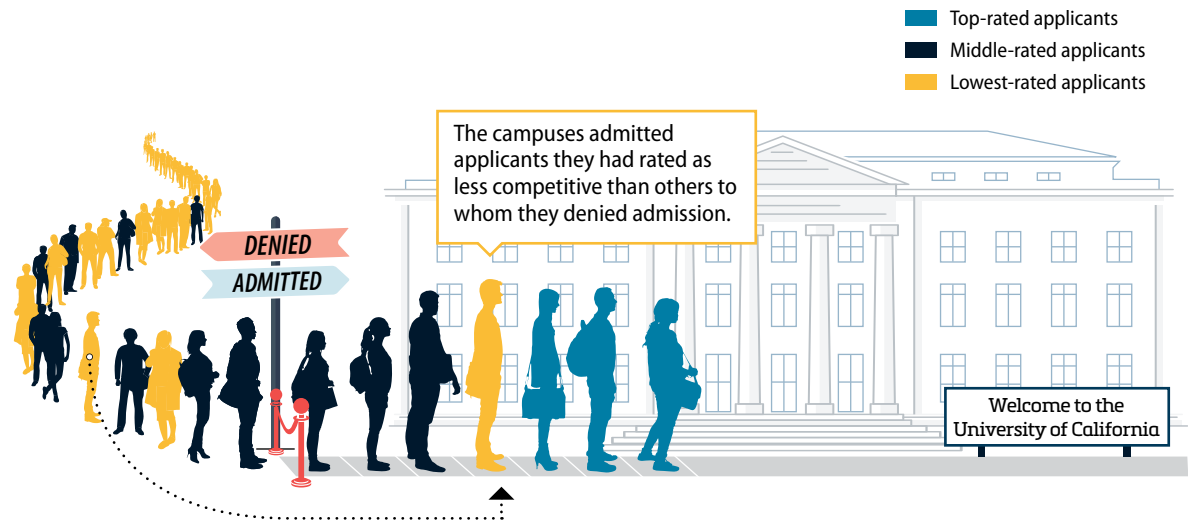
UCLA's admissions office may have had reasons for selecting certain lower-rated applicants for admission over higher-rated ones. For example, UCLA frequently admitted athletes with lower ratings on their applications because of the value that it believed that those athletes would bring to its sports programs. However, for applicants other than athletes, the campus could not provide any documentation justifying how it chose which applicants it would admit among those it rated *Recommend for Admission*, or why it admitted lower-rated applicants over higher-rated applicants. We observed a similar pattern of admissions decisions and missing justifications at UC Berkeley. In academic year 2019–20, UC Berkeley denied about 600 applicants to the College of Letters and Science that its application readers had rated stronger than *Recommend*—meaning that at least one reader had rated the applicant *Strongly Recommend*—but in the same year, UC Berkeley admitted roughly 1,600 applicants to the College of Letters and Science that its readers had rated at or lower than *Recommend*.<sup>6</sup>

Specifying in advance how a campus will make admissions decisions aids admissions staff in ensuring those decisions are consistent. Because of resource constraints, we would not expect the two campuses to explicitly document their reasons for admitting or denying each of the more than 100,000 freshman and transfer applicants who annually apply to each campus. However, a clear description of why the campuses would choose one applicant over another with a similar rating would align these campuses' processes with BOARS's guidance. It could also better ensure that the admissions staff make consistent and fair decisions based on factors the campuses value. In the absence of clear criteria, admissions decisions affecting thousands of applicants each year lack appropriate transparency.

Both UC Berkeley and UCLA agreed with our recommendation to develop more defined procedures for making admissions decisions. UC Berkeley's director of undergraduate admissions asserted that the admissions office considers the internal priorities and institutional goals that the campus's chancellor has informally communicated to it when making admissions decisions. However, he agreed that it would improve transparency and accountability to document how the campus's priorities and goals inform its decision making when choosing among similarly rated applicants. The director of undergraduate admissions at UCLA also agreed that having documented methodologies for selecting between similarly rated applicants would enable UCLA to demonstrate why it might admit one applicant and deny another with the same rating.

<sup>6</sup> As the Introduction explains, UC Berkeley and UCLA use different rating scales, contributing to a greater percentage of applicants rated *Recommend* at UC Berkeley being admitted.

**Figure 6**  
UC Berkeley’s and UCLA’s Lack of Criteria Casts Doubt on the Fairness of Some of Their Admissions Decisions



**The campuses lacked:**

- ✘ Criteria for selecting which applicants to admit
- ✘ Justification for admission decisions

**These deficiencies cast doubt on the fairness of those admissions decisions**

Source: Analysis of policies, procedures, and admissions documentation at UC Berkeley and UCLA.

In contrast to the other two campuses, UC San Diego has established a methodology for making admissions decisions, and the information we reviewed indicates that it follows that guidance. For example, its methodology for selecting applicants lists several priorities for admission, including that it highly prioritizes admitting applicants to its arts program who have received high ratings from its application readers. The admissions data we reviewed shows that UC San Diego generally admitted applicants to its arts majors who had received its highest reader ratings while rejecting other applicants to those programs. However, UC San Diego’s admissions methodology lacks a clear set of criteria to guide its decisions when it must choose from among similarly rated applicants, limiting transparency in its admissions decisions. Additionally, although we did not identify that these admissions decisions were improper, the lack of a documented reason for these admissions decisions introduces risk of inappropriate admissions.

### The Campuses Did Not Adequately Identify Applicants They Selected for Admission Who Did Not Meet the University's Eligibility Requirements

As the Introduction describes, university policy allows campuses to admit a small percentage of applicants who do not meet university eligibility requirements through a process it refers to as *admission by exception*. According to BOARS's guidelines, the university allows admissions by exception because its eligibility requirements—such as coursework requirements and grade point average—do not recognize an applicant's full set of achievements, talents, or personal circumstances. As a result, application readers may determine that an applicant has demonstrated extraordinary potential but still be technically ineligible because they did not, for example, complete one of the 15 required college preparatory (A-G) courses.

BOARS's guidance provides recommended reasons for considering an applicant for admission by exception.<sup>7</sup> These include the applicants having overcome personal challenges, having had limited or nontraditional educational opportunities, having special talents, or having academic achievements equivalent to the eligibility requirements. BOARS's guidance further explains its expectation that each campus's comprehensive review process should guard against the possibility that the applicants to whom they offer admission by exception are admitted instead of applicants they determine to be more qualified. BOARS reports annually to the Regents about the number of admissions by exception systemwide.

Using the university's application data for academic years 2017–18 through 2019–20, we identified applicants who did not meet one or more of the university's eligibility requirements.<sup>8</sup> The table shows the hundreds of those applicants whom each campus selected for admission. Campus readers had strongly recommended most of these applicants for admission. However, each campus also selected for admission a small number of applicants—21 at UC Berkeley, seven at UCLA, and 10 at UC San Diego—whose reader ratings indicate that they were uncompetitive for admission and for whom we did not identify another reason for why the campuses may have admitted them, such as being an athlete or having a special talent. Regardless of the applicant's ratings, for the majority of the applicants in the table, the campuses could not demonstrate that they had taken the key steps of identifying that these applicants were ineligible and then justifying the decision to admit them. These gaps are especially concerning for

<sup>7</sup> In April 2020, BOARS issued updated guidelines related to admission by exception. Among other changes, BOARS narrowed the applicability of the guidelines to apply to only California resident applicants as opposed to nonresidents. This change is consistent with how the university has interpreted its admission by exception policy when assessing compliance in the annual reports that BOARS submits to the Regents. It also added guidance related to tracking and reporting these admissions to BOARS.

<sup>8</sup> Our review of admission by exception was focused on freshman applicants.

the lowest rated applicants, for whom we expected campuses to have deliberately considered and documented why they should be admitted despite both their low ratings and status as ineligible for admission.

**Table**  
**The Campuses Selected Hundreds of Applicants for Admission Who Had Not Met Eligibility Requirements**

	INELIGIBLE APPLICANTS THE CAMPUSES SELECTED FOR ADMISSION
UC Berkeley	303
UCLA	375
UC San Diego	794

Source: Analysis of applications and admissions data regarding California resident freshman applicants that UC Berkeley, UCLA, and UC San Diego selected for admission for academic years 2017–18 through 2019–20 and whom did not meet university eligibility requirements.

Note: We did not include nonresident applicants in the table because university-approved college preparatory (A-G) coursework is only available in California, making it unlikely that any nonresidents would have been able to meet that eligibility requirement.

Each campus has a different approach to identifying ineligible applicants, but none of their approaches are adequate to identify all ineligible applicants. At UC San Diego, the senior associate director of enrollment management asserted that the campus reviews a list of applicants it is considering for admission in order to identify those who are ineligible. However, the campus explained that the query it used to create the list for academic year 2019–20 applicants identified only the applicants who had not met the exam requirements, not those who had not met the coursework or GPA requirements. UCLA claimed to run similar queries but could not demonstrate that it actually did so. Finally, the strategic initiatives advisor in the office of undergraduate admissions at UC Berkeley acknowledged that the campus identifies only certain categories of ineligible applicants whom it selects for admission, such as applicants who attended home school or an unaccredited high school. He stated that the campus does not try to identify other potentially ineligible applicants because it is not concerned about their academic strength.

All three campuses’ practices for identifying ineligible applicants are heavily reliant on a process that occurs after they have already selected applicants for admission. After an applicant accepts an offer of admission, applicants must arrange for their school to submit an official transcript. The campus then reviews the transcript to confirm the information the applicant provided in his or her application and to evaluate whether the applicant has met eligibility requirements.

According to the campuses' practices, if the applicant is ineligible, the campus should record at that time whether it will uphold its admittance decision and its reason for doing so.

However, if a campus only records that it is admitting an ineligible applicant after it has offered the applicant admission, it risks unknowingly offering admission to ineligible applicants who do not align with BOARS's guidance on admission by exception. As we discuss earlier, BOARS identifies situations in which a campus may use admission by exception to offer admission to applicants, and indicates that campuses should guard against the possibility that the applicants to whom they offer admission by exception are admitted instead of applicants they determine to be more qualified. The processes at the three campuses we reviewed do not provide assurance that all applicants the campuses offer admission by exception are aligned with BOARS's guidance on such admissions.

Deficient oversight by the Office of the President contributed to the campuses' poor processes for identifying ineligible applicants. According to its executive director of undergraduate admissions, the Office of the President had not reviewed whether campuses had policies or procedures governing admissions by exception before its recent internal audit. In its systemwide audit of admissions, the Office of the President noted that campuses were not adequately tracking the applicants they admitted by exception or documenting their reasons for admitting such applicants. However, it did not determine the actual number of applicants who were ineligible at the time the campuses offered them admission, and did not recommend that campuses identify applicants who are ineligible at the time they are selected for admission.

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**Deficient oversight by the Office of the President contributed to the campuses' poor processes for identifying ineligible applicants.**

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Of the three campuses we reviewed, only UC San Diego developed procedures for its admission by exception process in late 2019 in response to the systemwide internal audit. These procedures specify how UC San Diego will record admissions by exception and the criteria that it will use to determine when it will admit an applicant by exception. Although the strategic initiatives advisor in the office of undergraduate admissions at UC Berkeley stated that the campus had documented its procedures for admission by exception, the document he provided to us does not in fact document such

procedures. He provided other records demonstrating only that UC Berkeley reviewed whether applicants were admitted by exception at the point of enrollment, not when making admissions offers. Finally, the director of undergraduate admissions at UCLA stated that the campus intends to develop procedures, but it has not yet done so.

A new state law effective as of January 2020 states, among other things, that a university campus must have at least three senior campus administrators approve all admissions by exception, and must establish a policy that applies articulated standards to its decisions to admit applicants by exception. In response to this change in state law, BOARS updated its guidelines in April 2020 to recommend that three individuals—a campus’s director of undergraduate admissions, another official in the admissions office, and a member of the university’s Academic Senate who is external to the admissions office—approve all admissions by exception. Despite the findings of its own internal audit, the Office of the President told us that it plans to rely on campus reports about how the campuses use the admission by exception policy. Until the Office of the President ensures that campuses accurately identify the applicants whom they admit by exception and monitor to ensure that these applicants are qualified, it risks that uncompetitive, ineligible applicants will take the place of better qualified applicants.

### **Recommendations**

To ensure that the university maintains a fair and consistent admissions process, the Office of the President should require each campus to take the following actions:

- By March 2021, document and implement a selection methodology that describes how it will choose applicants for admission, particularly when the applicants have received similar ratings from application readers. Further, the selection strategy should specify the reasons why a campus may choose an applicant with a low or uncompetitive rating instead of an applicant with a higher rating.
- Develop and implement processes to use when selecting applicants for admission for identifying applicants whom it has selected for admission and who are not eligible for admission to the university, and record their rationale for admitting those applicants despite their ineligibility.

To provide assurance that campuses' use of the admission by exception policy is aligned with the policy's purpose, beginning in June 2021, the Office of the President should annually select a random sample of applicants admitted by exception and verify that campuses recorded a rationale for each admission and that each rationale aligns with BOARS's guidance.

## Campuses Have Not Adequately Ensured That Reviewers and Faculty Consistently and Fairly Evaluate Applications

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### Key Points

- Campuses have not adequately trained or supervised the readers who rate applications, creating the risk that their evaluations of thousands of applicants will be unfair or inconsistent. For instance, UC Berkeley’s readers correctly assessed only about 60 percent of practice applications during training before the campus allowed them to rate actual applications.
- Campuses have not taken critical steps to protect applicants from reader bias. They have provided application readers with applicants’ demographic information, including their names, native languages, and birthplaces, which could bias the readers’ evaluations.
- Campuses allow academic departments to participate in evaluating applicants for admission to their programs, but they have provided little or no oversight of the processes that those academic departments use when evaluating applications. As a result, these departments’ evaluations are at risk of inconsistency or bias.

### The Campuses Have Not Ensured That Their Readers Rate Applications Fairly and Consistently

Fairness and consistency are essential characteristics that the university’s admissions processes should guarantee to all applicants. As we discuss in the Introduction, campuses rely on a combination of internal admissions staff and external application reviewers to serve as application readers. Generally, two readers review each freshman application and assign it a rating that represents their assessment of the applicant’s qualifications and fitness for admission to the campus. Although the number of applications that each reader reviews varies, many readers review hundreds, and some review over a thousand applications during an admissions cycle. According to BOARS’s guidelines for implementing university undergraduate admissions policy, campuses must train readers and monitor them throughout the evaluation process to ensure that they evaluate applicants consistently to maintain the integrity of the applicant review. Ensuring fair and consistent evaluation of applicants is critical because, as Figure 7 shows, even one reader’s rating of an application has a significant impact on that applicant’s chances of admission.

**Figure 7**

At Any of the Three Campuses, a Single Reader's Rating Can Have a Significant Impact on an Applicant's Chance of Admission

**Just one reader rating can significantly affect an applicant's chance of admission.**

For example, at UCLA's College of Letters and Science:

*With these ratings...*



**93%** CHANCE OF ADMISSION

*With these ratings...*



**31%** CHANCE OF ADMISSION

**Reader ratings also affected applicants' chances of admission at UC Berkeley and UC San Diego.**

Source: Analysis of admissions and application review data for applicants between academic years 2017–18 through 2019–20 at UC Berkeley, UCLA, and UC San Diego.

Despite the importance of readers' ratings, the three campuses we reviewed have not established adequate processes for ensuring that readers are properly trained or for monitoring their readers to ensure fairness and consistency. Reader training at all three campuses includes a presentation discussing the factors that readers should consider when assessing applications, as well as example applications and the appropriate ratings for those applications. Additionally, each campus generally asks readers to evaluate a selection of applications from a previous year (practice applications) to teach them how to accurately evaluate applicants. According to the campuses, they then compare readers' ratings of the practice applications to the campuses predetermined accurate ratings to evaluate whether the readers are ready to rate actual applications. To know whether this training has successfully prepared readers to rate applications, campuses would need to identify a level of

proficiency that they expect readers to demonstrate. For example, a campus could require that each reader must accurately evaluate 90 percent of practice applications before reviewing actual applications. However, none of the campuses have established a proficiency standard for their readers or a formal process for verifying that readers are ready to read actual applications. Instead, the campuses rely on their supervisors to independently assess whether readers are ready, without providing relevant written criteria to those supervisors.

As a result of this informal approach, the campuses' standards for readers being ready to review applications vary significantly. UC Berkeley's training records for applications for the fall 2020 academic year show that, collectively, its readers correctly evaluated about 60 percent of the practice applications.<sup>9</sup> Such a low proficiency rate creates a significant risk that readers will incorrectly evaluate actual applications. Because UCLA and UC San Diego use rating scales that are broader in range than UC Berkeley, we analyzed training proficiency at those campuses first by assessing how often the readers were within one point of the correct score and found that readers demonstrated nearly 97 percent accuracy at UC San Diego and almost 99 percent at UCLA. However, as Figure 7 demonstrates, even a rating difference of one point can significantly affect some applicants' chances of admission. Therefore, we also reviewed how often readers at UC San Diego and UCLA assigned the same score that the campuses had determined to be the correct rating for the practice application, and found that their rates of proficiency were only 58 percent and 75 percent, respectively.

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### **The campuses' standards for readers being ready to review applications vary significantly.**

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Although some variation in scoring would be expected during training, it is concerning that none of the campuses had a formal expectation of how often its readers needed to score applications correctly. Without such a proficiency standard, the campuses have less assurance that their readers' ratings are accurate and consistent. The directors of undergraduate admissions at each campus agreed that they should establish minimum proficiency standards for their readers.

<sup>9</sup> UC Berkeley could not provide training records for 20 percent of its readers. Our analysis is based on all available records.

In addition, none of the campuses we reviewed have adequately monitored their readers throughout the admissions cycle. Each campus has established rating guidelines that include the approximate distribution of application ratings. For example, UC San Diego's guidance states that it expects only about 5 percent of applications will receive the highest possible rating and that about 10 percent will receive the lowest possible rating. If a reader deviates significantly from these general expectations, it could be a sign that the reader is not appropriately evaluating applicants and requires corrective instruction. However, the campuses could not demonstrate that they adequately monitored readers to ensure they identified and addressed such deviations. Figure 8 shows the effect that this lack of oversight has had at UC Berkeley, where a significant number of readers were either too lenient or too strict during its most recent application cycle, according to UC Berkeley's own rating guidelines. We found the same concern at UCLA and UC San Diego, where an applicant's ratings were dependent on which reader evaluated the application. In other words, at each campus some applicants likely received lower ratings than they should have, and others likely received higher ratings than they should have. These overly strict or overly lenient readers each read hundreds or in some cases more than 1,000 applications during an admissions cycle. Given the effect of even one reader's rating on an applicant's chances of admission, as Figure 7 shows, these overly strict or overly lenient readers likely affected some applicants' chances of admission.

The application ratings we reviewed demonstrated the importance of strong training and monitoring. We identified multiple instances in which readers who incorrectly rated most of their practice applications also failed to meet campus standards when evaluating actual applications. For example, two UC Berkeley readers—who were both assigned to read international applications from the same region of the world—incorrectly rated all or nearly all of their practice applications. Both of these readers subsequently read nearly 1,000 actual applications. One reader was overly strict, rating 80 percent of the applications with the lowest possible rating and only 4 percent with the highest possible rating. In contrast, the other reader assigned the lowest possible rating to only 44 percent of her assigned applications and the highest possible rating to 20 percent.

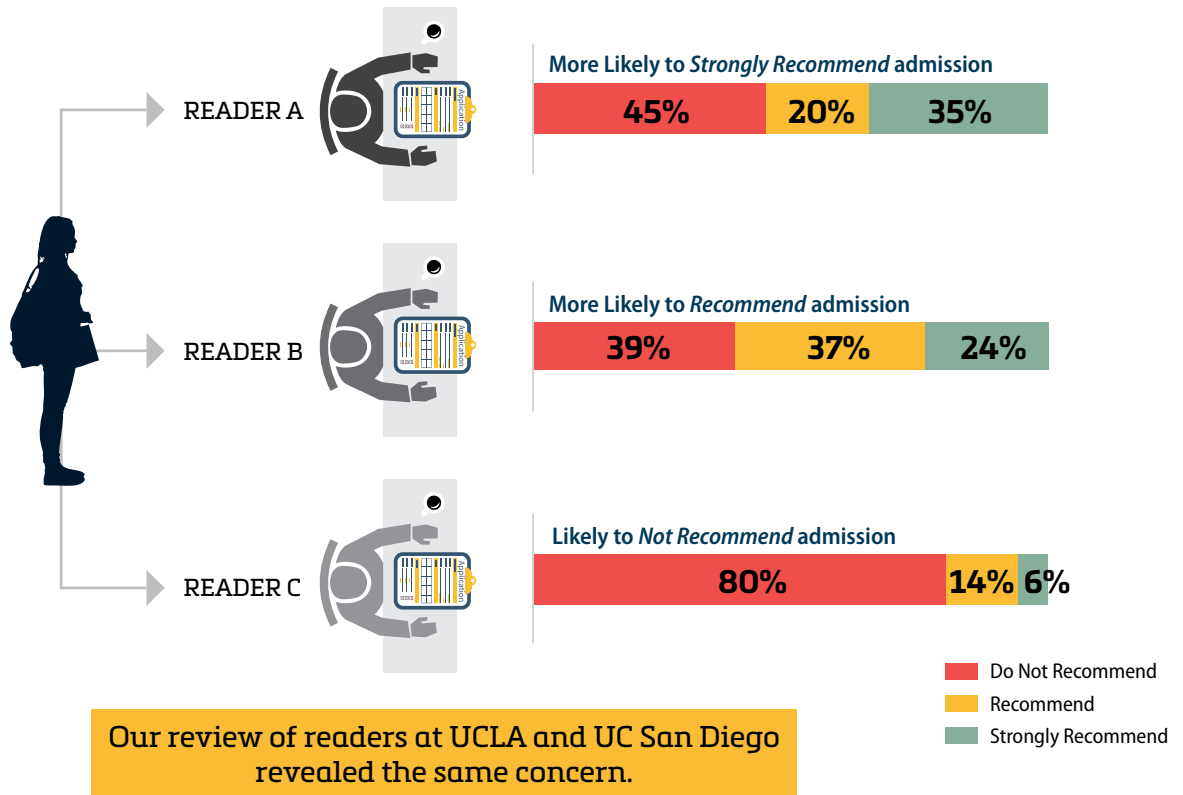
However, performing well in rating practice applications is not a guarantee of a reader's strong performance when reviewing actual applications. In fact, we found that some UCLA and UC San Diego readers who correctly rated all or nearly all of their practice applications were much too strict or lenient when reviewing actual applications. For example, one UCLA reader's training record shows that she correctly assessed almost all practice applications. However, when reviewing real applications this reader scored only 2 percent of the nearly 600 applications she reviewed with the highest possible score while scoring 24 percent with a "3" rating, which was a rating

of “Acceptable For Admission.” By comparison, UCLA expects that 5 percent of applications will score at the top end of its scale and that only 15 percent will score a “3” rating. According to UCLA’s assistant director of freshman review, UCLA’s practice is to invest time and effort in comprehensive reader training and certification before allowing readers to read actual applications. She shared that given its large volume of applications, the campus has limited time and resources to monitor reader ratings and rating distributions once reading begins. However, our findings demonstrate that campuses must invest time and effort into monitoring reader performance throughout the reading process, not just during training.

**Figure 8**  
Applicants’ Ratings at Each Campus Were Highly Dependent on Who Reviewed Their Applications

**Inconsistency in admissions staff’s evaluation of applicants made some applicants’ scores highly dependent on who evaluated their applications.**

For example, showing three actual readers at UC Berkeley:



Source: Analysis of application review data for applicants between academic years 2017–18 through 2019–20 at UC Berkeley, UCLA, and UC San Diego.

Both UC Berkeley and UCLA have programmed various reports into their application review systems that show, among other things, the number of applications that each reader has read and the distribution of ratings for each reader. The deputy director of undergraduate admissions at UC Berkeley and the associate director of freshman review at UCLA stated that their admissions staff verbally provide constructive feedback to readers when necessary. Regardless, the disparities in readers' ratings at the campuses show that whatever verbal feedback readers receive does not always rectify concerns. UC San Diego previously established similar reports for monitoring readers but stopped using these reports in fall 2019 when it transitioned to a new application review system. The assistant director of operations at UC San Diego stated that the campus could no longer use the monitoring reports because its new application review system lacked these reports. However, UC Berkeley and UCLA use the same application review system as UC San Diego and, as mentioned above, they have programmed their monitoring reports into the system.

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**The disparities in readers' ratings at the campuses show that whatever verbal feedback readers receive does not always rectify concerns.**

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Each campus generally agreed that it could improve its reader monitoring, but argued that some variability is inherent in an application reading process. UC San Diego's admissions director stated that its processes include mitigating factors that improve reader consistency, including that two readers review each application and that it has a process for reviewing applications when the two readers' ratings of an application differ significantly. In fact, all three campuses we reviewed have processes for addressing when reader scores diverge from one another significantly. Specifically, UCLA and UC San Diego have rating systems based on seven-point scales. At those campuses, when the first two readers' ratings differ by more than one point, the campuses have a third reader evaluate the application. UC Berkeley has only a three-point scale, and it conducts a third review of an application when the first two ratings are at the opposite ends of the scale. At each campus, the third review determines what the applicant's final rating will be. For example, at UCLA and UC San Diego, the third review rating replaces the first two review ratings. Although these processes are useful for detecting sizeable differences in reader ratings, even small differences can have a significant effect on an applicant's chance of admission. Figure 7 depicts a one-point difference in reader ratings and the resulting sharp decline in an applicant's chance of admission. Some deviation in reader assessment is reasonable, but that deviation should not occur

because of preventable problems with a reader's use of a campus's evaluation criteria. Therefore, a robust process for monitoring the accuracy of reader evaluations is critical to ensure that a campus's admissions decisions are fair and consistent.

Finally, according to campus staff, the majority of each campus's transfer applicants have only one reader evaluation. Staff who read transfer applications are generally a subset of the internal staff at each campus who read freshman applications. Especially in light of the problems with some readers being overly strict or overly lenient, a single evaluation increases the possibility that an applicant may receive an unfair evaluation. The admissions directors at UC Berkeley and UCLA indicated that performing a second read of transfer applications would not be possible without additional staff resources. According to the admissions director at UCLA, only internal staff read transfer applications due to the complexities associated with evaluating applicants by major, and he would not be comfortable delegating even part of the transfer review to external readers. However, because campuses read most transfer applications only once, they cannot apply the same strategies for ensuring accurate and consistent ratings that they use for freshman applications.

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**A single evaluation increases the possibility that an applicant may receive an unfair evaluation.**

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The directors' assertions that transfer applications are more time-intensive to review compared to freshman applications are reasonable given the factors they described to us and material we reviewed about how each reader must verify that the transfer applicant has completed required preparatory coursework. Nevertheless, to ensure a fair and consistent admissions process for transfer applicants, it is essential that these applicants receive at least two reviews of their applications, just as freshman applicants do.<sup>10</sup>

### **The Campuses Have Not Taken Steps That Could Safeguard Applicants Against Reader Bias**

In addition to not taking adequate steps to ensure consistency among reader ratings, the campuses have allowed readers to view information about freshman applicants that could bias their evaluations, such as names, native languages, and, in some cases, gender. The Office of the

<sup>10</sup> Some campuses in the university system offer admission to all California community college transfer applicants who meet the minimum requirements to transfer. At such campuses, there would be no need to perform two independent reviews of applications.

President provides this application information to the campuses and allows them to determine what information they provide to their readers. However, research shows that being able to see certain demographic and identifying information may cause readers to subconsciously modify their evaluation of applicants. This type of subconscious modification of behavior is known as *implicit bias*, and we would expect that the campuses would guard against its influence in the evaluation of applicants. Nonetheless, all three campuses allow readers to see freshman applicants' names and native languages. UC Berkeley and UC San Diego further allow readers to see applicants' genders, and UC Berkeley and UCLA allow readers to see applicants' birthplaces.

By allowing readers to see this information, the campuses risk that an applicant will be either disadvantaged or favored by a reader's implicit biases. These biases may relate to the applicant's gender, native language, or ethnicity—which a reader may infer, either correctly or incorrectly, from the applicant's name, birthplace, or native language. None of this personal information is included in the comprehensive list of 14 factors that BOARS allows campuses to use to evaluate and select applicants for admission. Thus, providing it to readers is unnecessary for the evaluation process.

.....

**By allowing readers to see applicants' names, gender, and native languages, the campuses risk that an applicant will be either disadvantaged or favored by a reader's implicit biases.**

.....

The directors of undergraduate admissions at UC Berkeley and UCLA disagreed that readers should not be able to see names, first languages, and birthplaces. For example, UC Berkeley's director of undergraduate admissions cited his belief that these data provide important context about the applicant in each case. However, the director of undergraduate admissions at UC San Diego stated that he had no concerns about removing that information so that readers and staff would not be able to see it when evaluating applicants. Each campus trains its readers on the factors they should consider when assessing an application. Some of these trainings include information about the dangers of implicit bias. However, the university should do more to reduce the risk of implicit bias. Specifically, the Office of the President could stop providing campuses with information that has the potential to bias reader evaluations.

In addition, UC Berkeley has not guarded against another type of potential bias. Specifically, it allows the second application reader to see the rating assigned by the first reader, which jeopardizes the

independence of the second review. Once the second reader is aware of the first reader's rating, the second reader may be swayed to assess the applicant differently than he or she otherwise would have had they not seen the first reader's rating. In contrast, neither UC San Diego nor UCLA allows the second reader to see the first reader's rating. The directors of undergraduate admissions at both campuses stated that this practice prevents the first reader's rating from influencing the second reader's evaluation.

After we shared our concerns about this practice, UC Berkeley's admissions director asserted that beginning in fall 2020, he intends to make the first and second reads independent of one another. UC Berkeley's stated intentions to improve this process are a positive first step. However, until UC Berkeley fully implements this change, the risk will remain that the first reader's score could influence the second reader's judgment and deprive an applicant of two independent evaluations.

### **The Campuses Have Allowed Academic Departments to Influence Admissions Decisions With Little Oversight**

The campuses have not ensured that all departments involved in admissions decisions have implemented appropriate safeguards against improper influence. Each campus allows certain academic departments to provide direct input on admissions decisions. For example, UC Berkeley allows a number of departments, such as its college of engineering, to review, rate, and recommend applicants for admission to specific programs. The arts schools at both UCLA and UC San Diego conduct a similar application review with a particular focus on the applicants' special talents in arts, music, or theater. In fact, at UCLA, academic departments influence one-third of all freshman admissions decisions. The weight that the admissions offices give to recommendations from academic departments varies by campus, but is significant. At UCLA and UC Berkeley, the admissions offices give substantial weight to academic departments' recommendations on freshman admissions and frequently admit the applicants they recommend. At UC San Diego, the admissions office considers ratings that staff in its arts departments assign to applicants to its arts majors when deciding between applicants whom the admissions office has similarly ranked.

.....  
**The weight that the admissions offices give to recommendations from other departments varies by campus, but is significant.**  
.....

Given the weight that the campuses afford recommendations from academic departments, we expected that each campus would have ensured that the departments' processes for reviewing, rating, and recommending applicants conformed to best practices for preventing improper influence. However, none of the campuses adequately did so. Key safeguards against improper influence include having conflict-of-interest policies that require reviewers to disclose relationships and recuse themselves from reviewing applications from applicants they know, as well as ensuring that no single individual can make an admissions decision. We would have expected the campuses to ensure that academic departments involved in admissions decisions adopted these safeguards.

Because campuses have not required academic departments to implement adequate safeguards related to admissions decisions, the departments' practices have been inconsistent. For example, UC Berkeley's management, entrepreneurship, and technology program within its college of engineering has established a strong process related to admissions: two readers rate each application, and then a committee selects which applicants to recommend. However, in contrast, UCLA's associate dean of academic and student affairs for the school of engineering (associate dean of engineering) stated that he alone—one single individual—recommends applicants for admission to most engineering majors.

In at least one instance, this UCLA practice resulted in unequal treatment of an applicant. Specifically, we identified that one applicant's parent directly contacted the school of engineering to advocate for the applicant. Although a parent making such contact to advocate for a child may not be in itself inappropriate, a campus should not consider such contact in its admissions decision to preserve the fairness of its admissions process for all applicants. However, in response to the email of the parent in question, the associate dean of engineering requested that the parent provide additional test scores for the applicant, which the parent did. Although another engineering staff member noted that the applicant's additional test scores were poor, the associate dean of engineering recommended the applicant for admission to the engineering program.

In regard to this engineering applicant, the associate dean stated that he was concerned that the applicant's math test scores were low, but when he considered those scores together with the applicant's holistic rating and GPA, he believed that the applicant would be successful as an engineering major and admitted the applicant. However, the associate dean also acknowledged that he had treated this applicant differently than others by responding to the parent's email in such a manner instead of informing the parent that they would have to wait until admissions decisions arrived. By communicating with the applicant's parent, the associate dean of engineering gave the applicant

unequal review and consideration compared to other applicants. He was able to do so—and make a decision on his own—because the campus had no requirement that multiple individuals participate in the admission decision, and no conflict-of-interest policy for the school of engineering prohibiting external influence in admissions decisions.

.....

**By communicating with the applicant's parent, the associate dean of engineering gave the applicant unequal review and consideration.**

.....

Involving academic departments in admission decisions is reasonable given that each department may value different traits in applicants. For instance, engineering departments typically value an applicant's performance in mathematics. Similarly, staff in arts departments, such as visual arts, dance, or theater, are better qualified than the admissions office staff to determine which applicants' artistic talents are sufficient to warrant admission. However, the campuses often assigned this responsibility without first ensuring that departments would preserve the fairness and consistency of the admissions process. The directors of undergraduate admissions at each campus acknowledged that they lacked knowledge about academic departments' processes for reviewing and selecting applicants and about the specific individuals responsible for the final admissions recommendations. Each admissions director has responsibility for his or her campus's admissions process and for ensuring that the entire process aligns with the university's overall admissions principles and policies. With that responsibility comes an implicit requirement to also ensure that all aspects of the campus's admissions process are free of improper influence.

Recently—generally as a result of the Office of the President's internal audit of admissions practices—some academic departments have developed or stated that they plan to develop conflict-of-interest policies. These policies generally require staff to certify that they have not reviewed applications for individuals with whom they have personal relationships. However, adoption of this practice among campuses and departments is inconsistent. None of the academic departments at UC Berkeley that recommend applicants for admission have developed these policies. UCLA developed a certification form that it says staff must sign in order to recommend prospective student artist applicants for admission, and the campus provided evidence that it required those forms for applicants whom the arts department recommended for admission for academic year 2020–21. However, UCLA has not required the same for staff in its engineering or nursing departments. Regardless, UCLA's

certifications differ from the draft certification that UC San Diego developed, which requires staff to *predisclose* potential conflicts of interest as opposed to attesting after the fact that they did not review applications from individuals they know. Furthermore, some departments still assign responsibility for reviewing or selecting applicants for admission to one individual. Until the Office of the President and the campuses ensure that all departments involved in admissions decisions have implemented appropriate safeguards against improper influence, the risk that such influence could unfairly affect some admissions decisions will remain.

Finally, UC Berkeley also allowed campus staff outside of its admissions office and academic departments to influence admissions decisions. Unlike the other two campuses we reviewed, UC Berkeley allowed campus staff—such as club sport coaches and band directors—to request that the campus admit applicants because of their special talent. To request such an admission, staff filled out a special talent request form, on which they described the applicant’s level of talent and potential value to a campus program. We reviewed 28 such applicants whom UC Berkeley admitted or placed on its waitlist and found that 23 of these applicants received reader ratings of only *Recommend* or worse. Nine of the 23 received a rating of *Do Not Recommend* from at least one of the two readers who reviewed their applications. Based on their ratings, all 23 of these applicants would have had little chance of admission, indicating that the admissions office placed significant weight on the special talent recommendations forms when admitting or waitlisting those applicants.

Although special talent is an acceptable factor on which to base an admissions decision, UC Berkeley’s special talent admissions decisions are questionable because, according to the former manager who oversaw this process, the admissions office did not verify or require evidence of the applicant’s special talents and instead relied on the statement of the requesting staff member. This former manager collected and reviewed the request forms and determined whether to recommend students for admission. The former manager asserted that another staff member was responsible for deciding whether to offer admission. However, we found no evidence of additional review following the former manager’s recommendation for admission. During the two-year period that we reviewed, UC Berkeley admitted 26 of the 28 applicants the former manager recommended for admission and waitlisted the remaining two. UC Berkeley’s current director of undergraduate admissions, who was not in his position for the majority of our audit period, stated that he ceased this special talent admissions process beginning in the fall 2020 admissions cycle and that UC Berkeley is currently revising how it will consider special talent when making admissions decisions.

**Recommendations**

UC Response Matrix

To ensure that the university maintains a fair and unbiased admissions process, the Office of the President should require each campus to take the following actions:

- #7a
  - By March 2021, establish acceptable levels of application reader proficiency and maintain training and monitoring programs that ensure that its readers attain and sustain those levels. In addition, it should report annually to BOARS on those efforts and on reader consistency levels, including the frequency with which reader ratings align with campus guidelines for rating applications.
- #7b
  - Beginning with the academic year 2021–22 admissions cycle, require each campus that does not admit all eligible transfer applicants to ensure that two readers review all transfer applications.
- #7c
  - Beginning with the academic year 2021–22 admissions cycle, ensure that the second readers cannot see the ratings of first readers for both freshman and transfer applications.
- #8
 

To better ensure that implicit bias in the evaluation of applications does not affect applicants’ chances at admission, the Office of the President should remove potentially biasing information from the application information that campuses can access.
- #9
 

To ensure that it properly protects all admissions activity against improper influence, the Office of the President should require each campus’s undergraduate admissions office to do the following:
- #9a
  - Identify all other campus departments that participate in or provide information that affects admissions decision making.
- #9b
  - Obtain, evaluate, and approve a description of the criteria and processes that these departments use in rating and selecting applicants to recommend for admission.
- #9c
  - Annually obtain a roster from each of these departments of the individuals who will participate in admissions decision making and their roles and ensure that no single individual is responsible for such decisions in any given department.
- #9d
  - Ensure that each individual whom a department includes on the roster it submits has received training on appropriate and inappropriate factors on which to base admissions decisions and has agreed to abide by the campus’s conflict-of-interest policies with respect to admissions.

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## The Office of the President Has Not Safeguarded the University's Admissions Process

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### Key Points

- The Office of the President did not set minimum protocols for the campuses' admissions processes or conduct sufficient oversight of their admissions practices. Weak oversight of its recent internal audit meant that issues at the campuses were undetected by campus auditors. In the absence of common protocols and adequate oversight, the Office of the President can provide only limited assurance to the public that its admissions processes reflect the high standards it publicly affirms.
- Although the university guarantees admission to applicants who excel at their California high schools, it has not monitored the program that facilitates this guarantee or expanded participation by California schools.

### The Office of the President's Inaction Has Allowed Weaknesses in Campus Admissions Processes to Persist

The Office of the President has not used its position as the university's central oversight entity to detect and prevent deficient admissions practices. As the executive agency of the university, the Office of the President is best positioned to safeguard the fairness and consistency of the system's admissions processes by setting minimum procedural requirements that align with best practices and by performing periodic reviews of the campuses' admissions practices. However, the Office of the President has not consistently performed these key tasks. In the absence of standardized processes and ongoing oversight, the weaknesses in campus admissions processes that we describe throughout this report have persisted. The admissions process is a critical pillar of the university system, and it is essential for the university to protect it from weaknesses and inappropriate influence. Without proactive action by the Office of the President, admissions decisions that do not reflect the university's standards are likely to continue and to erode public trust in the system's integrity.

Most troubling is that the Office of the President has not established a minimum set of systemwide protocols and procedures to protect against impropriety, despite having evidence that the campuses' admissions processes are susceptible to inappropriate activity. In 2014 UCLA identified that its athletics admissions process was vulnerable to manipulation when it investigated two questionable athletics admissions decisions. The campus concluded that these admissions decisions were primarily motivated by the expectation of financial benefit to the university and that they violated university policy. After that investigation, UCLA modified its policies to require campus staff to verify the athletic qualifications of all nonscholarship prospective student athletes. To strengthen the athletics admissions processes at other campuses, the Office of the President could have expanded UCLA's solution across the entire university system. With these

verification procedures in place, UC Berkeley, UC San Diego, and UC Santa Barbara would have identified some of the unqualified prospective student athletes we previously discuss and had the opportunity to deny them admission.

However, even UCLA's 2014 policy to verify nonscholarship prospective student athletes is inadequate to prevent questionable admissions. As we note earlier, the 22 inappropriate athletic admissions we found included student athletes who had received scholarships. Despite the risk of inappropriate admissions, the Office of the President has still not required a minimum systemwide protocol for verification of athletic qualifications. Instead, the Office of the President has recommended that campuses adopt talent verification procedures only for those recruited athletes who do not receive scholarships. Therefore, even if campuses choose to comply with this recommendation, staff wishing to inappropriately admit an applicant may have the incentive to offer scholarship funding in order to circumvent this verification safeguard. Further, as we explain in more detail later, it has delegated to the campuses the authority to determine how they will address its recommendation. Until it adopts strong and clear requirements, the Office of the President cannot provide a satisfactory level of assurance to the public that its admissions processes reflect the high standards it publicly affirms.

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**The university cannot claim that every student who applies will receive fair and consistent treatment.**

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The Office of the President has allowed other troubling weaknesses in admissions processes to continue as well. The university's desire to provide each campus a level of autonomy to make decisions about which applicants to admit is reasonable. However, it should establish basic and uniform expectations for the processes themselves, such as the expectation that each campus maintains proficiency standards for its application readers and prohibits any single individual from making admissions decisions. Without these baseline admissions protocols—which should not vary by campus—the university cannot claim that every student who applies will receive fair and consistent treatment, regardless of the campus to which they apply. It is for that reason that throughout this report, we recommend that the Office of the President adopt consistent procedural requirements for all of its campuses.

Procedural changes alone will not ensure full accountability in the admissions process. To detect problems, the Office of the President will need to periodically review the campuses' admissions practices. Before the national college admissions scandal in March 2019, the Office of the President had never conducted a systemwide review of the campuses' admissions practices. Instead, the Office of the President had asked individual campuses to conduct self-reviews of their admissions processes, or in some cases, campuses initiated admissions audits of their own accord. For example, the University of California, Irvine (UC Irvine) conducted an internal review of its admissions and enrollment practices to evaluate why it had overenrolled its incoming class for the 2017–18 academic year—an error that led it to rescind admission offers for hundreds of students. Its review found that it had not developed campus specific guidelines to promote consistency in the holistic review process. UC Irvine's review also identified that it had a weak process for predicting how many admitted students would ultimately enroll.

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**To detect problems, the Office of the President will need to periodically review the campuses' admissions practices.**

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Regular review of a process is a basic oversight tool that can provide an organization with assurance that the process is well designed and operating as intended. As the UC Irvine example above demonstrates, such reviews can also identify weaknesses. Had it performed regular reviews of the campuses' admissions processes, the Office of the President might have identified their poor practices, required improvements to those practices both at individual campuses and across the system, and prevented the improper and inappropriate admissions we identified.

Although the Office of the President led a systemwide internal audit of admissions practices in 2019 and 2020 in response to the nationwide admissions scandal, its decision to rely on the campuses to review their own admissions practices limits that audit's value. The Office of the President developed the scope of the internal audit and procedures to assess campuses' admissions practices. However, it asked the campuses' internal audits units to perform the audit work. Without providing any independent evaluation of the adequacy of the campuses' audit work, the Office of the President compiled the campuses' results into a systemwide report summarizing the weaknesses they identified. As a result, the Office of the President was unable to detect gaps in the campuses' internal auditors' reviews that it may have identified had

it provided stronger oversight of the campuses' work. For example, UC Berkeley's internal auditor missed the campus's failure to comply with its policy to give no preference to an applicant based on a relationship with donors, alumni, or employees of either the campus or the university because it relied on campus policies and staff assertions to determine how the campus made admissions decisions. Consequently, the Office of the President did not learn about a highly problematic practice at one of its premier campuses.

The deficiencies that the internal audit did uncover were generalized observations about the campuses' admissions processes that did not fully address areas of concern. Specifically, the audit observed that the campuses lacked policies and procedures to guide their admissions processes and noted weaknesses in the level of documentation that the campuses maintained about admissions decisions. The audit also found that campuses varied in whether they tracked admissions by exception and participation in athletics.

However, in key areas, the audit's observations were limited. For example, when the campuses' internal auditors observed that a campus had not verified athletic talent, they did not attempt to determine whether applicants were qualified to play in the sports for which they were admitted or whether inappropriate factors had influenced their admissions decisions. By not taking these additional steps, the campuses' internal auditors were not able to determine whether any inappropriate admissions took place.

Moreover, for the issues the internal audit did uncover, the Office of the President has allowed the campuses to develop their own corrective actions and has not ensured that they take consistent approaches to similar problems. The text box provides an example of a systemwide recommendation that the Office of the President issued and of the differing approaches campuses took to addressing that recommendation. By failing to provide the campuses with more specific direction, the Office of the President missed an opportunity to bolster consistency and fairness in the university's overall admissions process. Further, we found no evidence that the Office of the President plans to independently verify the corrective actions that campuses have agreed to take. Rather, it is relying on the campus internal auditors to verify implementation of these

### The Campuses' Differing Approaches to Implementing a Recommendation From the Office of the President

Office of the President issued a systemwide recommendation:

Establish a policy limiting communication between development personnel and the admissions office regarding admissions matters. At a minimum, any communication regarding the admissions status of specific applicants should be prohibited.

Campuses have each responded differently to this recommendation:

- **UC Berkeley** indicated that it would develop such a policy, but it had not done so as of July 2020.
- **UCLA** initially stated that this practice was already in place, but that it would document the practice more thoroughly. Even though, as of July 2020, the campus had not adopted a policy in writing, the campus auditors have considered the recommendation implemented because of other university policies. However, none of those university policies discuss communication between development and admissions personnel or prohibit such communication.
- **UC San Diego** implemented a policy, effective December 2019, to address this recommendation.

Source: The Office of the President's systemwide audit report and the corrective actions developed by UC Berkeley, UCLA, and UC San Diego.

corrective actions. In deferring to the campuses, the Office of the President is repeating the weak oversight practices that led to problems we identify throughout this report.

In fact, despite the fact that its admissions office has taken no action, UCLA's auditors have concluded that the admissions office has appropriately responded to one recommendation. Specifically, the campus chose not to follow through with its plans to better document how it guards against communication between development and admissions personnel. Instead of improving the documentation of its practices, as it initially stated it would, UCLA has simply referred back to a university policy against allowing for donations to influence admissions decisions that had already existed at the time of the internal audit. Campus auditors considered the reference to existing policy sufficient to close this recommendation, an action that leaves an important recommendation for safeguarding the integrity of admissions substantively ignored by UCLA. The Office of the President's chief compliance and audit officer explained that his office relied on the audit leadership at each campus to perform quality assurance of the work performed during the audit and to follow up on the corrective actions each campus took in response. However, given the shortcomings described above, we believe that the systemwide audit office must conduct independent oversight of campus audits pertaining to the integrity of campus admissions processes and the corrective actions they take in response.

### **The Office of the President Has Neglected a Key Program Meant to Ensure University Access for Applicants From Disadvantaged Backgrounds**

As part of its commitment to the State's Master Plan, which was enacted to define specific roles for the State's different public postsecondary educational institutions, the university makes certain admissions guarantees: the university guarantees admission to applicants who rank in the top 9 percent of all graduating high school students statewide and to applicants who rank in the top 9 percent of their specific high school graduating class. To obtain admission through the second of these pathways, an applicant's high school must participate in the university's program known as *Eligibility in the Local Context* (ELC), which allows the university to determine which students have earned guaranteed admission because they are in the top 9 percent of a high school's graduating seniors. The text box shows the key criteria that high schools must satisfy to participate in the ELC program. According to the Office of the President's data, about 2,100 of the 2,800 high schools in California met these criteria in 2019.

#### **Key ELC Program Participation Criteria**

High schools must do the following:

- Be accredited.
- Be located in California.
- Provide most instruction in the classroom.
- Offer a full list of university-approved college preparatory coursework.

Source: [University website](#).

Despite the significant number of high schools that meet the criteria for participating in the ELC program, the Office of the President's neglect has limited the actual participation rate. In April 2012, BOARS indicated that it was concerned that only 63 percent of high schools with a university-approved course list were participating in the ELC program and asked the Office of the President to assess the participation rate. The minutes from BOARS's April 2012 meeting reflect that one member expressed interest in knowing how many students attended the nonparticipating high schools. In response, the Office of the President provided an analysis to BOARS that concluded that the ELC program served the vast majority of California students. Specifically, the Office of the President's further analysis of nonparticipating high schools led it to conclude that about 95 percent of California's eligible high schools participated in the program. The Office of the President's analysis did not directly respond to the request for information about the number of students at nonparticipating high schools, and since 2012 it has not performed another assessment to evaluate whether participation rates remained the same or improved, or to determine how many students have access to the university through the ELC program.

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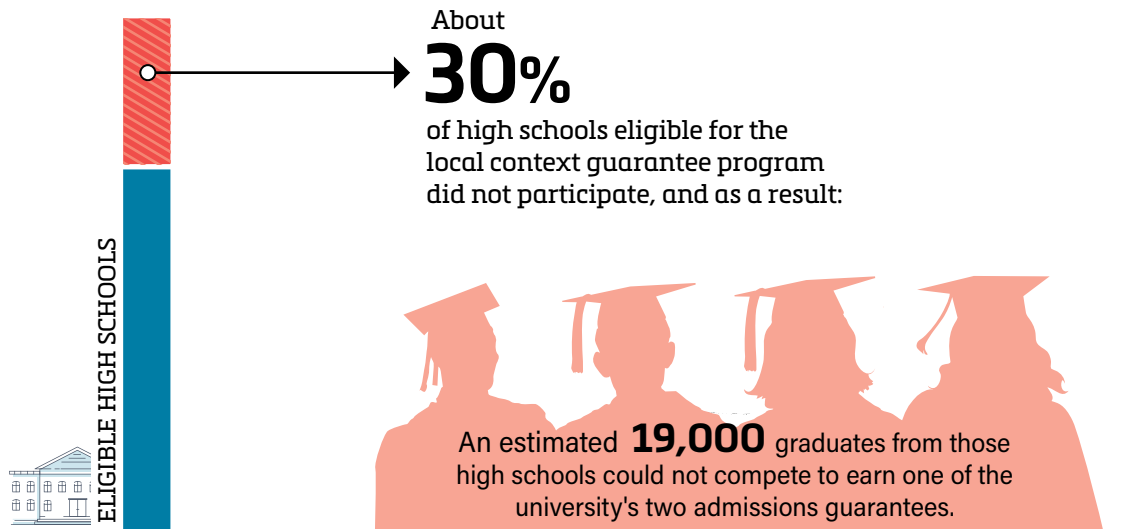
**Thousands of students graduated from high schools that serve a majority disadvantaged population and that did not participate in a program intended to improve access to the university to those students.**

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Using the Office of the President's data on California high schools, we determined that the participation level of eligible high schools has declined since 2012. As Figure 9 shows, about 30 percent—or more than 600—of the 2,100 high schools that met the ELC program criteria in 2019 did not participate. Thus, the participation rate in 2019 was much lower than the corrected participation rate of 95 percent that the Office of the President determined in its 2012 assessment. Further, among the nonparticipating high schools, almost 30 percent—about 170 high schools—have student populations that are at least 75 percent socioeconomically disadvantaged. More than 7,700 students graduated from these schools in 2018. Therefore—given that the number of students graduating likely did not change substantially—in 2019 thousands of students graduated from high schools that serve a majority disadvantaged student population and did not participate in the ELC program. As a result, these students did not have a chance to compete for one of the two guaranteed admissions options available to high school students in California. Nevertheless, the Office of the

President acknowledged that it has not recently identified eligible high schools that do not participate in the ELC program or contacted nonparticipating high schools to encourage their participation.

**Figure 9**  
The Office of the President Has Not Conducted Outreach to Improve High School Participation in Its Local Guarantee Program



### The Office of the President has not:

- ✘ Encouraged high schools to participate
- ✘ Determined why schools do not participate

Source: Analysis of the university's high school profile data, approved course offering data, and eligibility in the local context program participation data from 2019. Estimated number of graduates based on 2018 graduation rates.

The Office of the President could not adequately explain why so many high schools are not participating in the ELC program. The Office of the President's director of undergraduate admissions asserted that these high schools deliberately choose not to participate and generally do not have students applying to the university. She explained that students from the majority of these high schools apply to less selective public universities or elect to attend community college. However, this reasoning ignores that program participation and the admission guarantee could encourage more graduates from a high school to apply to the university. Further, because the Office of the President

has not examined program participation in nearly a decade, its understanding about why high schools choose not to participate is based on outdated information.

The Office of the President's failure to monitor the ELC program and ensure that it reaches as many high school students as possible is detrimental to the university's fulfillment of its commitment to Californians. The university started the ELC program with the purpose of fostering equal opportunity for all California residents to attend the university. The ELC program can have crucial benefits for applicants, particularly when they are from disadvantaged backgrounds. According to a study published in 2018, ELC applicants who enrolled at the university were more likely to graduate from college, attend graduate school, and have higher earnings in their mid-20s than they would if had they enrolled at less selective public universities in California. Further, in May 2020, the university reported that more than 80 percent of the applicants in the fall 2019 freshman class who were guaranteed admission through the ELC program but not in the top 9 percent of high school graduates statewide were the first generation in their families to attend college, and nearly 80 percent were from underrepresented groups. These findings indicate that the program provides significant benefits to disadvantaged or underrepresented students who might otherwise experience limited access to the university. These findings underscore the importance of better oversight from the Office of the President.

### **Recommendations**

To better safeguard the integrity of the university's admissions processes, the Office of the President should, by July 2021, begin conducting regular audits of the admissions processes at each of its undergraduate campuses, ensuring that it reviews each campus at least once every three years. These audits should be conducted by systemwide audit staff and include, but not be limited to, verification of special talents, communication between admissions staff and external parties regarding applicants, and other avenues for inappropriate influence on admissions discussed in this report. The audits should also endeavor to identify inappropriate admissions activity and deficiencies in the admissions process. The Office of the President should make the results of the audits public.

To ensure that campuses adequately address deficiencies identified in its own internal audit, the Office of the President should immediately begin to assess whether the campuses have completed the corrective actions they developed in response to systemwide recommendations and should evaluate whether the campuses' actions adequately address the audit's concerns.

To increase the number of high school students who have the opportunity to gain admission to the university through its ELC program, the Office of the President should, beginning in April 2021, do the following:

- Annually determine which high schools are eligible to participate in ELC but do not. It should annually report to BOARS the number of these high schools and their demographic characteristics.
- Annually contact eligible high schools that are not participating in ELC to determine their reasons for choosing not to do so. It should assess whether the university can address barriers to participation and, to the extent that it can increase participation, it should take the steps to do so.

We conducted this performance audit in accordance with generally accepted government auditing standards and under the authority vested in the California State Auditor by Government Code 8543 et seq. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on the audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Respectfully submitted,



ELAINE M. HOWLE, CPA  
California State Auditor

September 22, 2020

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## APPENDIX A

### The University Has Not Addressed Our Recommendation to Change Its “Compare Favorably” Policy

In March 2016, our office reported that the university had disadvantaged California resident applicants by admitting nonresident applicants with lower qualifications than those of the upper half of admitted residents.<sup>11</sup> These admissions decisions resulted from a change that BOARS made in 2011 to the university’s nonresident admissions policies. Specifically, BOARS amended the policies to specify that instead of demonstrating stronger admissions credentials than resident applicants, nonresident applicants need to “compare favorably” to residents to gain admission to the university. Before it adopted the compare favorably policy, BOARS’s meeting minutes reflected a discussion about how enrolling more nonresidents was justified because the university enrolls greater numbers of resident students than those for whom the Legislature provides funding. This discussion also acknowledged that campuses increased nonresident enrollment for the revenue that nonresident tuition generates. In our report, we recommended that the university replace its compare favorably policy with a standard that would require nonresidents to have admissions credentials that place them in the upper half of the residents it admits—an approach that we determined was consistent with the intent of the Master Plan.

We made that recommendation because we concluded that by adopting the compare favorably standard, the university had degraded the access that it provided to well-qualified resident applicants in exchange for offering admission to nonresidents who often had weaker academic qualifications. Specifically, the report found that during the 10-year period ending in academic year 2014–15, resident enrollment had increased by 10 percent while nonresident enrollment had increased by 432 percent. Further, the university had admitted nearly 61,000 nonresidents whose unweighted GPA scores fell below the upper half of admitted residents during academic years 2006–07 through 2014–15, and it admitted 9,400 nonresidents whose SAT reading and math scores fell below the upper half of admitted residents’ scores. The university disagreed with our recommendation and asserted that the compare favorably policy met its primary responsibility to residents. We stand by our recommendation because our review of this issue during this audit demonstrates that the university has continued to admit nonresident applicants with lower qualifications than the residents it admits.

<sup>11</sup> *The University of California: Its Admissions and Financial Decisions Have Disadvantaged California Resident Students*, Report 2015-107, March 2016.

Our previous review also found that the university generally admitted nonresident students with average grade point averages and standardized test scores that were lower than those of resident students. The university asserted to us that using these two academic metrics to determine the qualifications of applicants does not necessarily correlate with admissions decisions and that instead the university uses a comprehensive review process to evaluate applicants. As we discuss in this report, the result of the comprehensive review process is a rating that readers assign to each application, and that rating represents a campus's full consideration of an applicant's accomplishments. Therefore, during this audit, we used the comprehensive review ratings that readers had assigned to applications to assess the relative qualifications of the resident and nonresident applicants they admitted.

Campuses admitted most of the applicants to whom they assigned the highest ratings, regardless of their residency status. However, nonresident applicants at UCLA and UC San Diego who received ratings from the middle of the rating scale were more likely to be admitted than resident applicants with the same ratings. For example, at UCLA's College of Letters and Science, nonresident applicants from the United States whom readers rated as *Recommend for Admission* were almost three times more likely to be admitted than California resident applicants who received the same rating. Similar also to the results of our last audit, our review shows that from academic years 2017–18 through 2019–20, the campuses denied thousands of resident applicants admission while simultaneously admitting nonresident applicants with lower ratings.

#### Nonresident Enrollment by Campus in Academic Year 2018–19

UC Berkeley:	24.5%
UC Davis:	18.1%
UC Irvine:	18.5%
UCLA:	23.3%
UC Merced:	0.5%
UC Riverside:	3.7%
UC San Diego:	21.8%
UC Santa Barbara:	16.0%
UC Santa Cruz:	10.4%

Source: University's data on nonresident enrollment by campus.

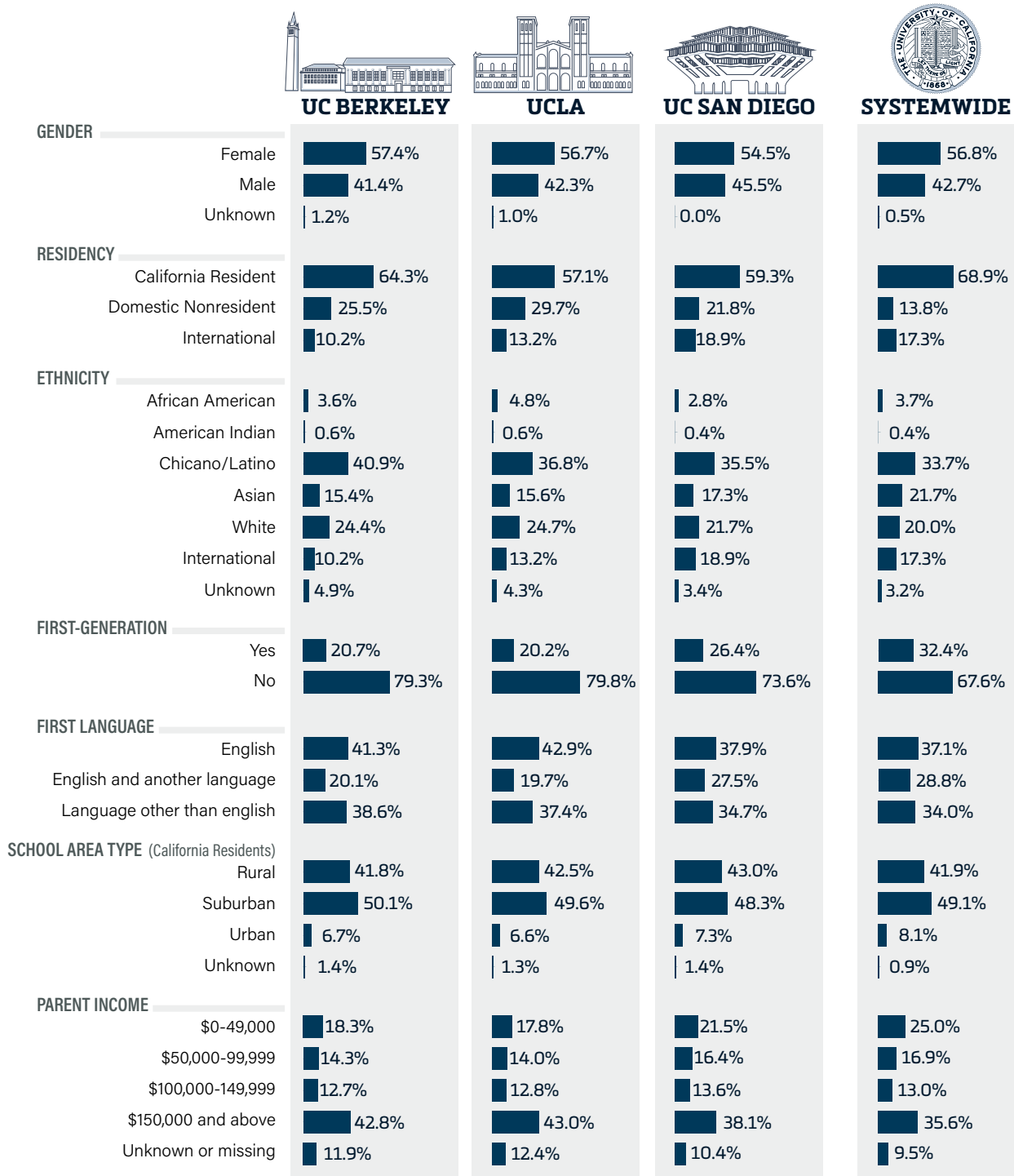
University-imposed caps on nonresident admission do not prevent the campuses from admitting less qualified nonresidents. In 2017 the Regents implemented a policy to limit nonresident enrollment to 18 percent for each of the five undergraduate campuses that had not yet grown their nonresident populations to that size. Consequently, each of these campuses can continue to grow the size of their nonresident student populations up to 18 percent. In contrast, UC Berkeley, UCLA, UC San Diego, and UC Irvine had already enrolled more than 18 percent of nonresidents when the Regents imposed the cap. For these campuses, the Regents' policy froze nonresident enrollment at their academic year 2017–18 levels. The text box shows each campus' nonresident enrollment proportion during academic year 2018–19.

## APPENDIX B

### **Statistics on the Diversity of Freshman Applicants Whom the University Admitted for Academic Years 2017–18 Through 2019–20**

The Audit Committee asked us to report a variety of demographic information for the students that the university admitted from academic years 2017–18 through 2019–20. The Audit Committee further requested that we report on the diversity of applicants admitted because of donations, influence, or legacy status, as well as the categories of applicants admitted by exception. Figures B.1 through B.4 provide the information that the Audit Committee requested.

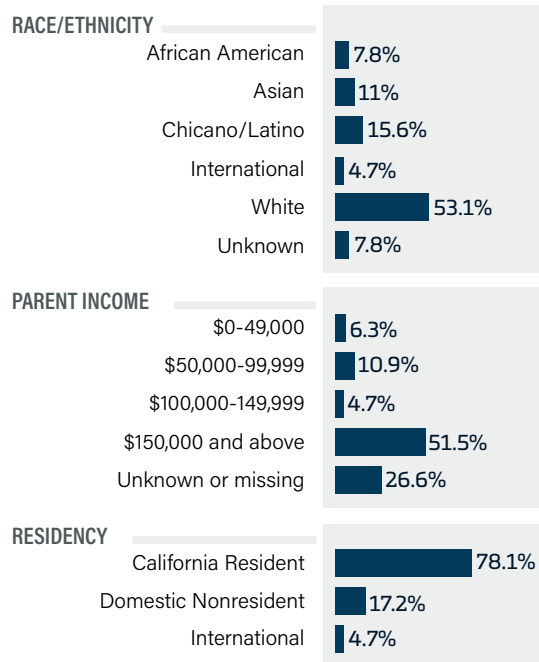
**Figure B.1**  
Diversity of Admitted Students by Campus, Academic Years 2017–18 Through 2019–20



Source: Analysis of applications and admissions data regarding freshman applicants.

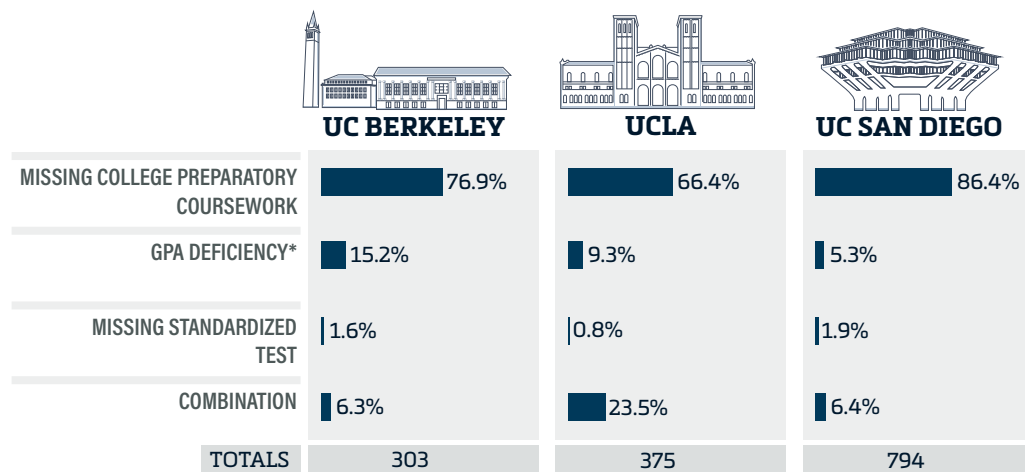
Note: In this figure and the figures that follow we generally use the terminology contained in the Office of the President's applications and admissions data when referring to gender, ethnicity, and other categories of student diversity.

**Figure B.2**  
Diversity of Students Admitted Due to Inappropriate Factors, Academic Years 2013–14 Through 2019–20



Source: Analysis of applications and admissions data regarding freshman applicants

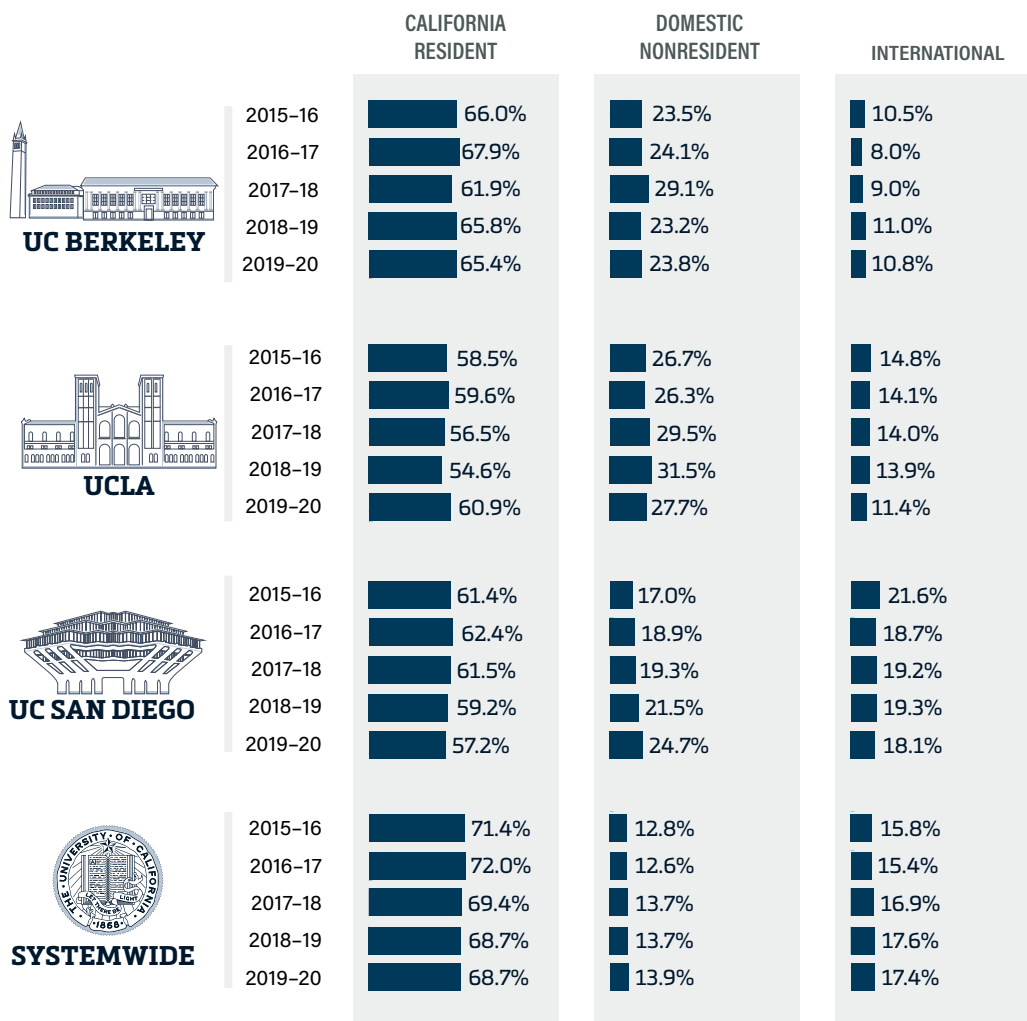
**Figure B.3**  
Reason for Ineligibility for Students Admitted by Exception, by Campus, Academic Years 2017–18 Through 2019–20



Source: Analysis of applications and admissions data regarding California resident freshman applicants that UC Berkeley, UCLA, and UC San Diego selected for admission for academic years 2017–18 through 2019–20 and whom did not meet university eligibility requirements.

\* The majority of these students did not have a GPA in the applications data. Students may not have a GPA in the data because their high schools use a grading system that does not easily convert to the standard scale or the students did not provide enough information on their applications to calculate their grade point average.

In our March 2016 Report 2015-107 (*The University of California: Its Admissions and Financial Decisions Have Disadvantaged California Resident Students*), we reported that from academic years 2005–06 through 2014–15, the university admitted increasing numbers of nonresident students. The figure below presents trends in nonresident admission since that time.

**Figure B.4****Residency Trends of Admitted Students, Academic Years 2015–16 Through 2019–20**

Source: Analysis of applications and admissions data regarding freshman applicants selected for admission.

## APPENDIX C

### Scope and Methodology

The Audit Committee directed the California State Auditor to review the university’s admissions practices. Specifically, the Audit Committee requested that we review areas of the admissions process related to fraud prevention, inappropriate influence on admissions decisions, and the use of admission by exception and admission on the basis of special talent. The table below lists the objectives that the Audit Committee approved and the methods we used to address them.

#### Audit Objectives and the Methods Used to Address Them

AUDIT OBJECTIVE	METHOD
<p>1 Review and evaluate the laws, rules, and regulations significant to the audit objectives.</p>	<p>Reviewed relevant laws, regulations, and other background materials applicable to the university and its admissions processes.</p>
<p>2 Review and evaluate the university’s systemwide admissions policies and practices, as well as the results of the university’s internal investigations.</p>	<ul style="list-style-type: none"> <li>Reviewed relevant university policies and evaluated whether they are adequate for ensuring fairness and preventing improper influence in admissions by comparing them against best practices and reviewing admissions practices at select campuses.</li> <li>Reviewed the university’s recent internal audit to determine its results, the basis for its conclusions and recommendations, and to evaluate whether we could rely on the internal audit work to address any of our audit objectives. We determined that, with the exception of our work pertaining to the Office of the President’s process for verifying application information, we could not rely on the work the university performed to answer any of our audit objectives, largely because that work was not conducted in accordance with the audit standards that state law requires us to follow.</li> </ul>

*continued on next page...*

AUDIT OBJECTIVE	METHOD
<p><b>3</b> For at least the UC Berkeley, UCLA, and UC San Diego campuses, assess admissions policies and practices by doing the following:</p> <ol style="list-style-type: none"> <li>Assess the factors considered when deciding which applicants to admit to the selected campuses.</li> <li>Evaluate fraud risks associated with the admissions process including, but not limited to, potential deceptive practices related to standardized test scores, high school grades, essays, and student-athlete admissions.</li> <li>Determine the extent to which donations, influence, and legacy factor into the admissions process. To the extent possible, evaluate the diversity of students admitted due to these factors.</li> <li>Determine the extent to which the university considers student diversity during the admissions process and report on the diversity of admitted students.</li> <li>Identify and assess any trends related to the admission of nonresident and resident students since academic year 2010–11.</li> </ol>	<ul style="list-style-type: none"> <li>Evaluated the three campuses' policies and procedures related to reviewing and rating admissions applications and ensuring consistency and fairness in application reviews.</li> <li>Assessed the processes that the three campuses use to select applicants for admission to ensure consistency and fairness in those decisions; determined whether those processes create opportunity for improper influence in admissions decisions, including influence related to donations and legacy. Analyzed systemwide data and reviewed email records at each of the three campuses we reviewed to identify potential improper influence in admissions decisions, including by individuals who were hired privately by families to facilitate admissions discussions with campuses. Evaluated the diversity of the applicants we identified as admitted due to improper influence.</li> <li>Selected 10 students from each campus and determined whether the campuses verified the students' grades and test scores. Determined that the university obtained standardized test scores directly from the ACT and College Board. Evaluated the changes that the university made to its systemwide process for identifying fraud in applications following the systemwide internal audit and determined that those changes adequately addressed gaps in the verification of the content of student application essays.</li> <li>Analyzed systemwide data to identify the diversity, residency status, and academic qualifications of students who applied, were admitted, and were denied admission both systemwide and at the three campuses we reviewed. Assessed trends in the university's admission of nonresident and resident students since academic year 2010–11.</li> <li>State law prohibits the university from considering protected characteristics—such as race and gender—in admissions decisions. Key university strategies to improve diversity of students are its Eligible in the Local Context Program and its efforts to recruit and enroll disadvantaged and underrepresented students. Therefore, we focused our review of the university's consideration of diversity during the admissions process on those areas.</li> <li>Reviewed university and campus efforts to recruit and enroll disadvantaged and underrepresented students. Determined that the campuses generally followed common or best practices for recruiting these students.</li> <li>Obtained data on ELC program participation. We interviewed admissions staff at the campuses to determine whether or how they consider ELC status in admissions decisions. The campuses generally reported that ELC status is one factor they consider in admissions decisions.</li> </ul>
<p><b>4</b> For at least the past three years, identify how many students UC Berkeley, UCLA, and UC San Diego admitted under the university's special admissions policy, with a focus on students admitted through the identification of a special talent or achievement. For those students, do the following, to the extent possible:</p> <ol style="list-style-type: none"> <li>Determine the categories of students admitted by exception.</li> <li>Evaluate the policies and practices related to verifying the eligibility of applicants admitted by exception and any follow-up performed by the campuses to determine whether students continue to participate in the sports or other activities for which they were admitted.</li> <li>For a selection of students, determine whether they are still participating in the sport or other activity for which they were admitted by exception.</li> <li>Assess whether the above data indicates any risk of fraud in the admissions process.</li> </ol>	<ul style="list-style-type: none"> <li>Analyzed systemwide data to determine the number of students the campuses admitted by exception.</li> <li>Because the three campuses did not adequately record or justify the reasons for admitting applicants for exception, we could not determine the categories of applicants the campuses admitted by exception beyond those we present in Appendix B.</li> <li>Evaluated campus policies and procedures related to admissions by exception.</li> <li>Identified the number of recruited student athletes and students admitted due to a special talent.*</li> <li>Assessed policies and practices relevant to the admission of prospective student athletes and applicants with special talents to determine whether the campuses have adequate practices to prevent improper outside influence, including fraud.</li> <li>At each campus, selected 10 prospective student athletes and 10 students with special talents whom the campus admitted, and we assessed whether the campuses adequately confirmed the recruit's talent. Determined whether the campus monitored to ensure that prospective student athletes continued to participate in the sport for at least one year.</li> <li>Reviewed all student athletes from academic years 2013–14 through 2018–19 for six teams at each campus to determine if each student athlete participated for at least a year and possessed adequate athletic talent in the sport they purportedly played.</li> <li>For the student athletes who both participated for less than a year and who did not possess adequate athletic talent, reviewed additional materials—including donation records and staff emails—to determine if inappropriate factors, such as donations to the campus or favors to associates, were factors that influenced admissions decisions.</li> </ul>

AUDIT OBJECTIVE	METHOD
<p>5 Review and assess university and campus policies and practices related to interacting with other entities involved in the admission process including, but not limited to, the College Board, ACT, and private admission consultants.</p>	<p>Incorporated the procedures related to this objective into objectives 3 and 4b by reviewing the process that each campus uses to make admissions decisions and assessing those processes for risk.</p>
<p>6 Evaluate the sufficiency of steps taken by the university in response to admission-related recommendations in the California State Auditor’s March 2016 audit report (Report 2015-107) as well as other California State Auditor recommendations, if applicable.</p>	<ul style="list-style-type: none"> <li>• Analyzed admission trends of resident and nonresident students across the university and at the three campuses.</li> <li>• Analyzed campus data on the qualifications of admitted resident and nonresident undergraduate applicants to determine if nonresidents exceeded the qualifications of residents.</li> <li>• Obtained and reviewed resident and nonresident enrollment targets for campuses from academic years 2017–18 through 2019–20.</li> </ul>
<p>7 Review and assess any other issues that are significant to the audit.</p>	<p>None identified.</p>

Source: Audit Committee’s audit request number 2019-113, planning documents, and information and documentation identified in the table column titled Method.

\* We expanded our review of the prospective student-athlete admissions processes to include UC Santa Barbara.

### Assessment of Data Reliability

The U.S. Government Accountability Office, whose standards we are statutorily required to follow, requires us to assess the sufficiency and appropriateness of computer-processed information that we use to support our findings, conclusions, and recommendations. In performing this audit, we relied on various electronic data to evaluate the campuses’ application review processes and to identify the academic qualifications and diversity of students who applied and were admitted or denied admission. Specifically, we obtained application and admission data from the Office of the President and application review data from four campuses—UC Berkeley, UCLA, UC San Diego, and UC Santa Barbara.

To evaluate these data, we reviewed existing information about the data, interviewed university and campus staff knowledgeable about the data, and performed electronic testing of the data. As a result, we identified limitations with the data. Specifically, the Office of the President uses self-reported information from each application. However, this information is not necessarily updated in the data if the Office of the President, or the campuses subsequently identify discrepancies. Therefore, we found that the Office of the President’s and the campuses’ data were of undetermined reliability for our purposes. Although this determination may affect the precision of the numbers we present, there is sufficient evidence in total to support our findings, conclusions, and recommendations.

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# UNIVERSITY OF CALIFORNIA

Michael V. Drake, MD  
President

August 27, 2020

Office of the President  
1111 Franklin St.  
Oakland, CA 94607

universityofcalifornia.edu

Ms. Elaine M. Howle\*  
California State Auditor  
621 Capitol Mall, Suite 1200  
Sacramento, California 95814

Dear Ms. Howle:

CAMPUSES

- Berkeley
- Davis
- Irvine
- UCLA
- Merced
- Riverside
- San Diego
- San Francisco
- Santa Barbara
- Santa Cruz

Thank you for the opportunity to review and respond to the draft audit report on the University of California's admissions practices.

The University is committed to safeguarding the integrity of its admissions practices. We hold ourselves to the highest standards and will take prompt action to address issues raised in the State Auditor's draft report. Many of the draft report's recommendations are similar to those that our internal audits identified and presented to the Board of Regents over the past year, and that UC campuses and the Office of the President have largely implemented. The draft report identified important issues that will help us in addressing any ongoing problems.

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MEDICAL CENTERS

- Davis
- Irvine
- UCLA
- San Diego
- San Francisco

I have zero tolerance on matters of integrity, and will do everything I can to ensure inappropriate admissions do not happen on any of our campuses. To that end, I appreciate the State Auditor's assistance in providing the relevant underlying data and information supporting the audit's conclusions. The University will then be able to take additional appropriate action as necessary and maintain the highest standards in our admissions processes.

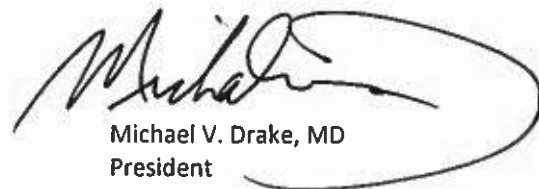
③

NATIONAL LABORATORIES

- Lawrence Berkeley
- Lawrence Livermore
- Los Alamos

I sincerely appreciate the time and resources the State Auditor's office has committed to helping us improve and strengthen our admissions policies and processes.

Sincerely,



Michael V. Drake, MD  
President

\* California State Auditor's comments begin on page 75.

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## COMMENTS

### CALIFORNIA STATE AUDITOR'S COMMENTS ON THE RESPONSE FROM THE UNIVERSITY OF CALIFORNIA

To provide clarity and perspective, we are commenting on the university's response to our audit. The numbers below correspond to the numbers we have placed in the margin of the university's response.

The university's internal audit, and its recommendations, did not address significant aspects of the admissions process that we reviewed during our audit. Furthermore, our recommendations are stronger than those made by the university's internal audit and address serious deficiencies that it did not identify. Left unaddressed, these issues will continue to harm qualified applicants who apply to the university.

Although both audits addressed the potential for inappropriate influence in the admissions process, as we state on page 56, the university's audit did not detect the ways in which staff from the development office and other university staff inappropriately influenced admissions decisions at UC Berkeley. Further, the internal audit did not review or make any recommendations related to training and monitoring of application readers. Our review in this area—the details of which we describe beginning on page 39—found the inconsistency among readers negatively affects many thousands of applicants each year. Finally, the internal audit did not include an examination of whether the Office of the President has conducted sufficient and appropriate oversight of the admissions process. Our review found that the Office of the President has not adequately safeguarded the admissions process, and we recommend that it conduct regular audits of its campuses.

As we describe beginning on page 56, the Office of the President has allowed campuses to respond to its internal audit recommendations by each developing their own corrective actions. Further, the Office of the President has not reviewed the campuses' implementation of those corrective actions. As a result, the actions campuses have taken have been inadequate and inconsistent. For example, on page 57 our report describes how UCLA decided not to implement the Office of the President's recommendation to adopt a policy prohibiting communication between development and admissions offices about prospective students. The inadequacies in the campuses' implementation of the internal audit recommendations led us to recommend, on page 61,

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that the Office of the President directly monitor the way campuses address those recommendations—an oversight activity it had not planned to perform.

- ③ We look forward to reviewing the actions the Office of the President takes to address the deficiencies in the university's admissions process that we identify in our report. During our audit we had several discussions with each of the campuses and the Office of the President wherein we described the deficiencies we found, the information we had reviewed to come to our conclusions, and our recommendations for correcting the identified problems. These discussions provided the university with sufficient information to address the areas of inconsistency and improper influence in its admissions process. Throughout the finalization of this report we discussed with the university its requests for additional detailed information from our review. Before we published this report, we provided additional information to the university.