

My name is Betty Chu, a former Deputy County Counsel who represented the Los Angeles Unified School District and the Los Angeles Community College District for many years.

I urge the Los Angeles County Board of Education to oppose ACA 5 in the interest of increasing equality and quality in education. Fighting racial and sex-based discrimination with racial and sex-based discriminatory legislation and constitutional amendments is still racial and sex-based discrimination. ACA 5 is racial and sex-based discrimination.

ACA 5 seeking to legalize racial and sex preferences and discrimination by repealing Proposition 209 is a violation of the United States Constitution and federal civil rights legislation.

Since the enactment of Proposition 209, contrary to the proponent statements, the rates of underrepresented racial minorities and females in higher education admissions, higher education graduations, employment hiring and employment promotions have been substantially increased. Repeal of Proposition 209 would have a disparate effect on racial minority and female students, business professionals, employees and communities. It would not only reverse the achievements under Proposition 209, but would give reason for racial and sex discrimination to proliferate in private and out-of-state higher education facilities and in private business entities. This is based not only upon publications and statistics, but upon my employment and community experiences in education, housing, finance, law, and politics, many of which involved minority discrimination issues.

Proposition 209 does not prohibit all forms of preferences or affirmative action programs. Public colleges, universities and government entities are free to develop admission and employment hiring factors that may otherwise be relevant. Competitive athletics have different standards than space programs. Engineering firms have different standards as compared to the financial industry.

Despite its funding, California public elementary and high schools are not commensurately ranked academically. This underlying deficiency needs to be addressed in those school districts with substantial racial minority students to enable them to compete for university admissions and for successful university graduation. Racial and sex-based admission standards can only lower the rankings of the California colleges and universities. If the Los Angeles County Board of Education "reduce(s) inequity and improve(s) education for all of its students, and each California Board of Education works to so similarly achieve, the successful admission of minority students will increase under Proposition 209. Statistics evidence that the percentage of minority students successfully graduating from colleges and universities were higher than those under affirmative action programs preceding Proposition 209.

High school and community college programs need to be developed for the underachieving students who wish to seek admission to the competitive colleges and universities. School choice should be adopted. Admission and graduating standards should seek the best students. Skin color and one's gender has no relevancy to the ability to benefit and graduate from a college education.

Legalized racial and sex-based preferences and legislation is a violation of the United States Constitution and federal civil rights legislation. Any litigation defending such will be costly and a waste of taxpayer funds. Racial and sex-based discrimination cannot and will not be lessened by using racial and sex-based discriminatory preferences and legislation.

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