

UC-Davis

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presented fairly and clearly to the Court. The Bakke case doesn't do this."

Donald Reidhaar, chief attorney for the UC Regents, denies the University presented a weak case. The written evidence submitted to the court by UC, he says, "included a great deal of statistical information and documentation."

"The case fairly and squarely presents the issue of admissibility" of UC's special program for minorities, he says. "The (U.S. Supreme) Court will find some way to rule without undermining the programs."

LEGAL ISSUES IN CALIFORNIA
The California Supreme Court's ruling in favor of Bakke was based on three conclusions. First, it ruled that Bakke was better qualified than the minority students admitted under UC-Davis' special program—a point disputed by UC.

Minority lawyers object to this conclusion, arguing that the standardized tests and grade point averages that make up a good part of UC's criteria for admission are culturally biased against non-whites.

The court's second conclusion was that UC-Davis was not guilty of "past discrimination." The Supreme Court has often required proof of such past discrimination before ruling affirmative action programs constitutional.

In this case, UC took the position that it had not discriminated in the past—a stand that has led to the most bitter criticism from minorities, who believe it severely weakened UC's case.

While the California Supreme Court was considering the case, the American Medical Students Association filed a brief pointing out that in the Davis Medical School's first year, 1968, it admitted no Black or Chicano students, and the next year only one Chicano and two Blacks were enrolled among a class of 50. Comparing this to the fact that Blacks and Chicanos make up 20 percent of California's population, the brief argued that Davis "had no choice but to take affirmative action to remedy the de facto segregation."

UC lawyer Reidhaar responds that although the school's use of test scores and grades resulted in "nearly all white classes," there was "never any intent on the part of the school to discriminate against minorities."

Other minority lawyers have argued that UC could have pointed to past discrimination in the elementary and secondary schools feeding into the Uni-

versity of California system.

James Bell, a spokesman for the Black Law Students Association at UC's Hastings College of Law, points to one reason UC may have taken its stand. "The UC Regents couldn't admit they discriminated in the past or they would have been subject to suits from third world people," he charges.

Finally, the California court concluded that UC had failed to prove that a special admissions program based on race was

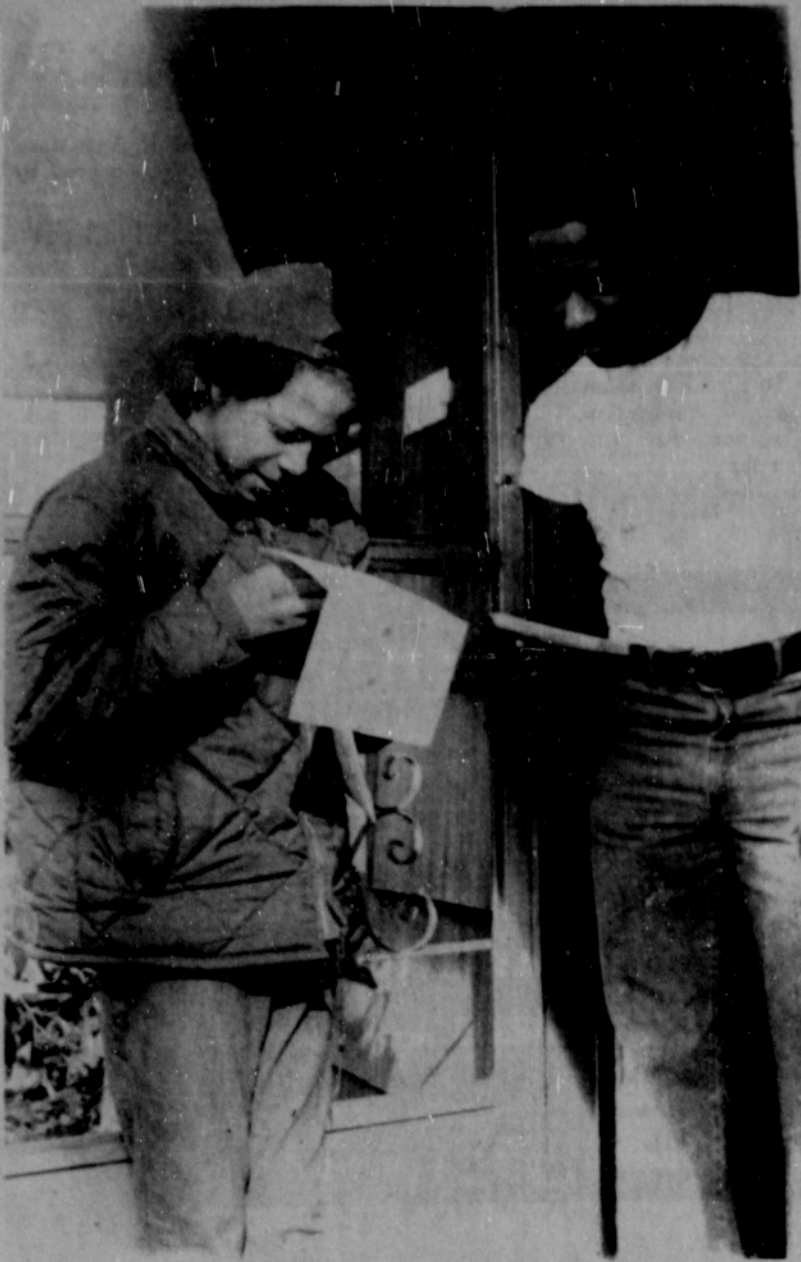
the option open to UC that least discriminated against whites. For racial admissions programs, the courts require that a school prove there is "a compelling state interest" requiring the program and that there is no alternative to racial classifications.

In this case, the court agreed that there was a compelling state interest in integrating the medical school but suggested alternatives-like setting up a special program for the economically,

rather than racially disadvantaged.

Some minority lawyers in California believe such alternatives can be designed, though they doubt they will be as effective as racial quotas. But they fear that the conservative U.S. Supreme Court will take a much broader sweep, closing off even these options.

If that happens, law and medical school deans across the country agree, there will be almost no minority students left in their schools.



Lane Hampton receives contribution for March of Dimes from a neighbor. Lane was one of a group of young people assisting Marilyn Sykes, "Mother's March" coordinator for the Adams district.

PMSC receives winterizing grant

The Portland Metropolitan Steering Committee (PMSC) has been notified by the Community Service Administration that it will receive a grant of \$23,400 for an Energy Conservation Program. The grant will enable PMSC to weatherize forty-nine low-income homes in Multnomah County.

Weatherization includes applying storm windows and weatherstripping. PMSC will also conduct two energy conservation/weatherization consumer conferences.

PMSC has participated in the attempt to alleviate suffering brought on by cold weather. Multnomah County's 66,000 low-income persons are hit harder by cold weather because they often live in sub-standard housing and cannot afford adequate fuel. PMSC has obtained utilities

and fuel during crisis, provided temporary winterization, and provided more extensive winterizing and repair through the Community Rehabilitation and Employment Program (CREP). Funds available for this type of program for the poor have fallen far below the need. PMSC has received \$611,700 in annual grant monies for continuation of programs including: Administration, Family Action Credit Union, Housing Program, Transportation Division, Economic Development, Youth Development, Native American Youth Association, Youth Justice Clinic, and the Sellwood/Moreland Youth Workshop, and three neighborhood service centers: Albina Action Center, North Community Action Council and Portland Action Committees Together.

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