
NIK RETTINGER

STATE REPRESENTATIVE · 83rd ASSEMBLY DISTRICT

TESTIMONY ON ASSEMBLY BILL 554 Assembly Committee on Colleges and Universities October 26, 2023

Good morning, Chairman Murphy and other members of the Assembly Committee on Colleges and Universities. I appreciate the opportunity to testify on Assembly Bill 554 today.

Earlier this year, the Supreme Court of the United States (SCOTUS) ruled in a 6-3 decision that severely limited affirmative action in college admissions. The decision found that the University of North Carolina and Harvard College violated the constitution's equal protection clause.

The United States Constitution demands equal treatment for all. Race based discrimination is illegal and violates the principles of equal protection under the law as outlined in the U.S. Constitution. All students should be given an equal opportunity to attend college and not be accepted or denied because of the color of their skin.

To be sure, this does not mean we should eliminate aid to disadvantaged individuals. College costs continue to skyrocket, and while the debate on the broken system which continues to charge students exorbitant rates of tuition, room and board lies elsewhere, the programs we have in Wisconsin to assist on covering costs and accessing the halls of our higher education institutions must follow the law and shift from race-based programs to eligibility based on true financial need.

It's important to note that the term "disadvantaged" is not defined in the bill. I believe that allowing the entities overseeing the administration of these programs the ability to determine what constitutes "disadvantaged," without including race or ethnicity as criteria, extends an olive branch to these entities governing these programs to do the right thing and help in closing the book on these outdated, unconstitutional practices.

A recent poll by YouGov, stated that 65% of Americans do not believe we should consider an applicant's race in college admissions. The State of California tried to amend their constitution a few years ago to reinstate affirmative action. It lost by a shocking margin, voted down 42.77%-57.23%. Individuals, even in the bluest of states, have affirmed that they wish to move the United States closer to the colorblind constitution that John Marshall Harlan spoke of in his famed dissent in *Plessy v. Ferguson* (1896).

In the decision (*Grutter v. Bollinger* (2003)) that *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College* overturned, former Justice Sandra Day O'Connor wrote for a 5-4 majority that "race-conscious admissions policies must be limited in time," adding that the "Court expects that 25 years from now, the use of racial preferences will no longer be necessary to further the interest approved today." That day has come and it's time for our state and nation to turn that page and progress forward.

In the end, this bill simply brings Wisconsin's aid programs in line with the *Students for Fair Admissions* decision. It's time for Wisconsin's higher education systems to follow the law and treat all students and staff equally. Thank you Chairman Murphy, Vice Chairwoman Nedweski, and the other members of this committee that have co-sponsored this legislation. I appreciate your time and ask for your support in passing AB 554.



LAKESHIA MYERS

Wisconsin State Representative • 12th Assembly District

HERE TO SERVE YOU!

Hearing Testimony

Assembly Committee on Colleges & Universities

October 26, 2023

Assembly Bill 554

Chairman Murphy and Members of the Committee on Colleges and Universities, thank you for holding a public hearing today. I come before you today in opposition of AB 554, a bill that seeks to change certain race-based programs or requirements in higher education. In general, the bill would modify these programs and requirements so they apply to disadvantaged students rather than ethnic minorities.

This change is problematic for many reasons. First and foremost, eliminating racial designation from the specified scholarship, grant, and retention programs managed by the Higher Education Aids Board would decrease the number of teachers of color in Wisconsin. Currently, Wisconsin's licensed teacher workforce is 94% White, 2% Hispanic, and 1.8% Black. Juxtapose this with the fact that one third of all public school students in Wisconsin is a student of color and you can see that our workforce is not reflective of our student population.

As an educator, I am vehement in my quest to increase the number of teachers prepared to serve in the classroom. I have worked for many years with Republicans and Democrats alike to ensure that all students have quality classroom instruction. For example, Senator Lena Taylor and I have partnered with Gerard Randall, Executive Director of the Milwaukee Education Partnership, to create a pipeline for Black and Hispanic men who aspire to become educators to attend Milwaukee Area Technical College, transfer to Historically Black Colleges, and return to the Milwaukee Public Schools as teachers.

Just four short years ago, I partnered with former Representatives Amy Loudenberg and Jason Fields to expand the Wisconsin Minority Teacher Loan Program beyond the City of Milwaukee to all seventy-two counties and increase the notification mechanism of the program on all college campuses. Research shows that having a teacher of color, and a Black teacher, in particular, does a lot of good for all students, but especially well for minority students. Black students who have one Black teacher by third grade are 7% more likely to graduate high school and 13% more likely to enroll in college. After having two Black teachers, Black students' likelihood of enrolling in college increases by 32%. Knowing this and understanding the bipartisan support of the Minority Teacher Loan Program four years ago, I question the need to change course in 2023?

When asked by a constituent online about this bill, Senator Wimberger stated, *“The bill eliminates race as a basis for programs, and instead requires allocation based on disadvantaged status.”* He added, *“It’s time to stop perpetuating stereotypes that socioeconomic status is tied to immutable characteristics. Should there be any lingering systemic effects on particular populations from eras past, focusing on a status of disadvantaged will benefit those individuals without attaching bigoted assumptions. And someone who is not disadvantaged will avoid disparagement from others thinking they only got the job undeservingly to meet an equity goal.”*

This logic is vehemently flawed, as the Senator is seeking to utilize policy to change hearts and minds, when in reality, policy can only be used to change behavior. The reason the Minority Teacher Loan Program and others are even necessary is because of the need to rectify past discriminatory practices. To eliminate the phenomenon of race within the context of these programs would be disingenuous and I would also assuage that it is impossible to divorce race from anything in America, as race is indelibly linked to the American experience.

In the words of comedian Chris Rock, *“there ain’t a white man in this room that would change places with me, and I’m rich!”*

While Rock’s commentary was a punchline, it is also very true. We wouldn’t need to make provisions for marginalized communities if Democracy was actualized for all people. We know that is not the case, therefore we have to do all we can to attempt to level the playing field. This is the basis of equity; and the understandable difference between equity and equality.

Senator Wimberger said he supports equality, not equity, and stated he would do all he could to stop Critical Race Theory. My question is, if he does not ascribe to equity, will:

- Americans with Disability Act disappear?
- Handicapped parking spaces be removed?
- Funding for Special Education be removed?
- Will women no longer be allowed to take maternity leave?

These things constitute an equitable approach to ensuring women and those with physical disabilities have access and opportunity. Equity is not the enemy, equity provides a remedy against systemic racism.



Testimony to the Assembly Colleges and Universities Committee

Assembly Bill 554

Wisconsin Education Association Council

October 26, 2023

The Wisconsin Education Association Council is strongly opposed to Assembly Bill 554.

Wisconsin Public School students need and deserve to have a diverse representation of teachers and education support professionals throughout their academic careers. A highly qualified education workforce that reflects a student’s family and community inspires and encourages, but it takes intention and resources to build a diverse staff in every school.

Of the licensed teachers in Wisconsin, 94 percent are white, just over 2 percent are Hispanic and 1.8 percent are Black, according to 2021-22 data from the state Department of Public Instruction. However, 13 percent of public school students were Hispanic students and 9 percent were Black.

Wisconsin has taken some steps to attract and retain teachers of color, including the Minority Teacher Loan Program, which has been successful in helping future teachers of color achieve their dreams to help students learn. This bill would deal a devastating blow to that and other programs designed to increase the number of minority educators in Wisconsin’s public schools. Additionally, it would harm overall efforts to recruit more professionals into the teaching profession.

Most alarmingly, ending programs to recruit and keep teachers of color would have a negative impact on every Wisconsin student. All students benefit from a diverse and representative school staff, opening new ways to look at the world and shaping attitudes in a positive way.

Students tend to benefit from having teachers who look like them, especially nonwhite students who are more likely to be affected by disadvantages like poverty and racism and by positive influences like high-quality schools and role models. Research shows the effect is more marked as students get older.

Research also shows that teachers of color help close achievement gaps for students of color and are highly rated by students of all races. The National Assessment of Educational Progress (NAEP) reports that even with intentional efforts like the Minority Teacher Loan Program and the other programs affected by this bill, the pace of increasing the minority teaching force is slow and attrition rates are high, leaving growing gaps between the demand for a representative staff of teachers and the number who enter the teaching workforce.

In a time when schools are struggling to attract enough qualified professionals, Wisconsin should be moving forward to build a diverse teacher workforce – not backward by ending successful methods to address this critical problem. University of Wisconsin data and research show that students of color are more likely to drop out and less likely to graduate than their white peers. High costs and a lack of

Peggy Wirtz-Olsen, President
Bob Baxter, Executive Director

financial aid are part of the problem, and this bill would make that problem worse. Greater diversity in schools can keep more teachers of color in the profession, preventing feelings of isolation, frustration and fatigue that can cause individual teachers of color to leave the profession.

Instead of making sure Wisconsin is doing everything it can to staff schools with qualified professionals by standing by proven programs to increase the teaching workforce, this legislation will set Wisconsin back for generations as enrollment in teacher preparation programs would drop even more.

Wisconsin Public School educators want every child to feel they belong in their school communities and to see the endless possibilities public education provides. This bill would do the opposite. We urge you to join Wisconsin Public School teachers in opposing Assembly Bill 554.



October 26, 2023

Testimony in Support of Assembly Bill 554

Chairman Murphy and Members of the Assembly Committee on Colleges & Universities,

I am Dan Lennington, Deputy Counsel at the Wisconsin Institute for Law and Liberty. I oversee WILL's Equality Under the Law Project, which advocates for a colorblind society through litigation and policy reforms.

Today I am pleased to speak in support of Assembly Bill 554.

The United States Constitution and the Wisconsin Constitution both include a pledge of racial equality and a mandate that all laws must be colorblind. This is especially important in the field of education. Just a few months ago, the United States Supreme Court ruled that affirmative action plans at Harvard and the University of North Carolina were illegal. Those policies granted racial preferences in admission to some races but not others. Harvard defended the program saying it was necessary to ensure racial diversity in the student body. But the Supreme Court rejected that argument, explaining that racial preferences are a zero-sum game, always benefitting some students at the expense of others and relying on pernicious racial stereotypes. In short, the Court ruled there was no justification for race discrimination in higher education, and that so-called "diversity" does not justify race-based decision making.

Unfortunately, Wisconsin law fails to live up to the principle of equality for all. Dozens of Wisconsin programs—from grant programs to government contracting to drug treatment—discriminate against Wisconsin citizens based on race. These preferences must all be reformed and opened to all races. If they are not, courts will eventually strike down these programs, potentially resulting in damages and attorneys' fees against state officials. The taxpayers will ultimately pay these bills.

Today, the Legislature is considering a series of reasonable and necessary reforms to make some of our laws colorblind. These reforms are long overdue.

The bill focuses on two general areas: (1) race-based scholarships and loans to students, and (2) racial enrollment incentives for certain educational institutions.

These laws create racial categories based on stereotypes and then prefer some races over others. This is unconstitutional race discrimination, pure and simple.

Consider two grant programs: the Minority Undergraduate Retention Grant Program and the University of Wisconsin's Lawton Minority Undergraduate Retention Grant Program. Under these programs, only "minority undergraduates" are eligible for scholarships. White students are ineligible for a scholarship, but you may be surprised to learn who is "white" under existing law. Students from north Africa—Egypt, Morocco, Libya, Tunisia, and Algeria—are ineligible for these scholarships because of their race. Students from Gaza or the West Bank are likewise ineligible for scholarships because of their race. Same with all students from Turkey or any Middle East country, from Saudi Arabia to Afghanistan. Wisconsin law considers all these students "white" and therefore not worthy of a scholarship.

What about Asians? Nearly all Asians are excluded from these Wisconsin scholarship programs. Students who are from (or whose parents or grandparents are from) India, Pakistan, China, Japan, Thailand, and Indonesia are ineligible based on race. There are 48 countries in Asia, and only students who can trace their ancestry to three countries (Laos, Cambodia, and Vietnam) are eligible for scholarships. Even Hmong students are targeted by these racial classifications. While these scholarships attempt to benefit Hmong students, some Hmong students are ineligible if their parents or grandparents emigrated from the wrong country or in the wrong year.

We at WILL are challenging the Minority Undergraduate Retention Grant Program in court. Our clients include a white man and his wife, who is from Thailand. They have a biracial child. No one in this family is eligible for the grant because of their race.

What about Latinos? State law only grants racial preferences to "Hispanics." "Hispanics" are narrowly defined under state law as those from a country "whose culture or origin is Spanish." This would exclude students who come from Brazil, Guyana, Suriname, or French Guiana, and would likely exclude students from English-speaking countries such as the Bahamas, Jamaica, and Belize.

In short, Wisconsin's legal definitions of who is a "minority" simply don't make sense even if you are in favor of racial preferences. Considering all the laws at

issue in this reform package, each of them discriminates against students from the Middle East, North Africa, Central Asia, and those who are non-Hispanic Latinos.

The solution, however, is not adding more racial categories. All racial categories are illegal and would be unworkable even if they were permissible. More importantly, racial distinctions are just plain wrong: "It's a sordid thing, divvying us up by race," as the Supreme Court has explained. All racial classifications are pernicious and demean the dignity of all individuals.

The proposed bill fixes these laws and erases these racial preferences. And instead of eliminating these programs, the bill wisely opens the programs to all students who are disadvantaged. The bill considers students as they ought to be considered: as individuals, not as members of racial groups.

WILL strongly supports programs that benefit students based on their individual needs, not on racial stereotypes. Today's bill takes an important first step in making our laws colorblind, as required by federal law and the Constitution.

Thank you for your time today, and I'd be happy to answer any questions.

Testimony Exhibit
Racial Group Exclusions in Current Law

Grants

1. Minority Teacher Loan Program (Wis. Stat. § 39.40, HEAB)

This program offers loans of up to \$10,000 per year for students pursuing a teacher's license in teacher shortage areas. Loans may be forgiven. The current law only benefits the following racial groups: Black American, American Indian or Alaskan Native, Hispanic, Asian or Pacific Island origin, or two or more races.

Exclusions: Latinos from non-Spanish countries, African students on visas, north Africans, Middle eastern students

Proposed Law: Open to all disadvantaged students.

2. Minority Undergraduate Grants (Wis. Stat. § 39.44, HEAB)

The program awards grants of up to \$2,500 to students enrolled at least half-time in independent, tribal, or technical colleges. The current law only benefits the following racial groups: Black American, American Indian, Hispanic, persons with ancestors from Laos, Vietnam, or Cambodia.

Exclusions: Students from north Africa, the Middle East, and Asia (with the exceptions of Laos, Vietnam, and Cambodia), Latinos from non-Spanish countries, African students on visas, aboriginal students who do not identify as "American Indian," such as Native Hawaiian.

Proposed Law: Open to all disadvantaged students.

3. Minority/Disadvantaged Graduate Grants (Wis. Stat. § 36.25(14), UW)

This law allows UW to set up a grant program for minority and disadvantaged graduate students. UW has established this program under the name "Advanced Opportunity Program" or "AOP." The statutes do not define "minority." UW's application for this program provides only the following are eligible: 1) Students from the following racial/ethnic groups: a) African American; b) American Indian or Alaskan Native; c) Hispanic/Latino; d) statutorily defined Southeast Asian; 2) Students who participated in one of the following programs: Upward Bound, TRIO, Talent Search, or 3) First-generation college students.

Exclusions: Based on UW's administration of this program, it is likely that most Asians are excluded, as are students from north Africa, the Middle East, and Native Hawaii.

Proposed Law: Open to all disadvantaged students.

4. Lawton Grants (Wis. Stat. § 36.34, UW)

The program awards grants of up to \$3,000 to UW students. The current law only benefits the following racial groups: Black American, American Indian, Hispanic, persons with ancestors from Laos, Vietnam, or Cambodia.

Exclusions: Students from north Africa, the Middle East, and Asia (with the exceptions of Laos, Vietnam, and Cambodia), Latinos from non-Spanish countries, African students on visas, aboriginal students who do not identify as "American Indian," such as Native Hawaiian.

Proposed Law: Open to all disadvantaged students.

Enrollment Targets

1. Medical College and School of Dentistry – (Wis. Stat. §§ 39.15, 39.46)

Law mandates that "every effort" shall be made to "ensure that at least 5 percent of the total enrollment of the college consists of minority students." The law does not define "minority," but if other definitions in Chapter 39 are applied this would exclude nearly all Asians, students from north Africa and the Middle East, and Latinos from non-Spanish countries.

Proposed Law: Eliminate this requirement so that all students are considered as individuals, not as members of racial groups.

2. Tech Colleges: Minority Student Plans, Special Programs, and Incentive Grants (Wis. Stat. §§ 38.04(8), 38.26, 38.27, Tech Colleges)

Three separate sections provide for minority enrollment plans and incentive grants to cater specifically to minority students. The laws adopt a narrow definition of "minority" as follows: Black, Hispanic, American Indian, Eskimo, Aleut, Native Hawaiian, Asian Indian, and "a person of Asian-Pacific origin." "Person of Asian-Pacific origin" means a person whose ancestors originated in Japan, China, Taiwan, Korea, Vietnam, Laos, Cambodia, the Philippines, Samoa, Guam, the U.S. Trust Territories of the Pacific or the Northern Marianas. "Asian-

Indian" means a person whose ancestors originated in India, Pakistan or Bangladesh. "Black" means a person whose ancestors originated in any of the black racial groups of Africa. "Hispanic" means a person of any race whose ancestors originated in Mexico, Puerto Rico, Cuba, Central America or South America or whose culture or origin is Spanish

Exclusions: Based on the accompanying definition listed below, minority students from north Africa, the Middle East, central Asia, and north Asian are excluded. Other Asians, such as individuals from Indonesia, Thailand, Malaysia, and Singapore, are excluded.

Proposed Law: Eliminate this requirement so that all students are considered as individuals, not as members of racial groups.



STATE SENATOR

Eric Wimberger

DISTRICT 30

Assembly Committee on Colleges and Universities

Thursday, October 26, 2023

Testimony on Assembly Bill 554

Good morning, thank you Chairman Murphy and committee members for holding a hearing on Assembly Bill 554.

Recent Supreme Court cases have come to terms with, and reversed, what had previously been a tenuous connection to the constitutionality of race-based policies. Regents of the University of California v. Bakke and its progeny accepted race as a factor in decision making so long as it was narrowly focused and limited in time to directly counteract a negative historical past. The Court attempted to use discrimination to offset the effects for discrimination. It didn't work, and Students for Fair Admissions v Harvard recently accepted the failing. Race-based policies can no longer be seen as passing the Strict Scrutiny Test required by the US Constitution.

Race-based policies have not only been long in time, but unsuccessful in their aims. Further, advocates have doubled down in recent years demanding race be a primary determinant pursuant to Critical Race Theory. They think the failings of fighting discrimination with discrimination are due to the fact that there wasn't enough discrimination. CRT demands we abandon efforts toward a color blind society claiming implicit bias makes it impossible. Ironically, promoting stereotypes and active discrimination until activists determine statistical equity has been achieved is somehow being "anti-racist." Discriminating, stereotyping, and separate but equal policies have been revived as long as the acts are a so called "celebration" of diversity.

Individuals are separated into admissions categories, living quarters, cultural centers, group orientations, and group commencement ceremonies because it's presumed their behaviors are uniquely and predictably similar to others with similar immutable characteristics. Awful Jim Crow era results have been rebranded as good so long as participants celebrate how great "those people" are. In that process the individual is lost and those involved do not see each other as peers.

Concepts of race-based awards have back loaded in them bigoted premises we should purge from our culture if we are to aim for a society that does not judge people based on skin color. Supporters of race-based policies have to accept that the overall population is racist, or that people with an immutable characteristic can't succeed without help. If a statistical goal is sought, proponents have to have in their mind's eye that exceeding the statistical goal means there are "too many" of a type of person with the desired immutable characteristic.

AB554 removes race as a factor for determining financial aid, and it should have been done long ago. By focusing on "disadvantaged" status, two main objectives are achieved. First, if individuals of a class of immutable characteristics are in fact being disproportionately systemically disadvantaged, then focusing on the disadvantaged status will disproportionately benefit them. Second, focusing on the disadvantaged status will end the university's state-sanctioned role in perpetuating racist stereotypes connecting an immutable characteristic to behavioral and socioeconomic traits.

This bill aligns state law with the US Constitution by ending the state-sanctioned perpetuation of racist stereotyping at our universities, ultimately getting financial aid to students in need, regardless of their race or ethnicity. I Hope you will join me in support of AB554.

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Madison, WI 53707-7882

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Sen.Wimberger@legis.wi.gov



October 25, 2023

To: Members of the Assembly Committee on Colleges and Universities

From: Vicki J. Martin, Ph.D., President Milwaukee Area Technical College

Re: Information regarding AB-554, relating to "race-based higher education programs and requirements"

As the state legislature prepares to discuss **AB-554** that proposes to remove race-based preferences from State-funded higher education programs, **MATC is offering the following information for consideration:**

- MATC is **one of the most diverse two-year colleges in the Midwest with 56% students of color** and 42% employees of color. We are committed to greater equity and inclusion. For the Milwaukee region and the state of Wisconsin, MATC is a talent pipeline for a diverse, skilled workforce that employers are seeking. MATC is an "open access" institution, meaning that we are nonselective in our admission standards — and as such, the Supreme Court ruling does not affect our admissions processes.
- In the **Milwaukee area, employers have coalesced around an effort to advance people of color as an economic development strategy.** MATC is one of more than 130 employers (representing 120,000+ employees collectively) in the Metropolitan Milwaukee Association of Commerce (MMAC) Region of Choice initiative that has committed to collectively increasing the number of African American and Hispanic/Latino/Latina employees in metro Milwaukee. Participating employers also commit to publicly reporting aggregate data on an annual basis to measure progress, sharing best practices and meeting CEO to CEO to discuss efforts.

The regional approach came in response to an MMAC-led 2019 study that compared **Milwaukee to 20 peer metropolitan areas on seven key indicators of prosperity and found that Milwaukee scored lowest among the metros** for the prosperity of its African American and Hispanic/Latino/Latina populations, as well as for the gap in prosperity between its white population and African American and Hispanic/Latino/Latina populations. The Region of Choice collective goal is to increase Black and Brown employment by 15% and management employment by 25% by 2025. The baseline research was collected in 2019 when African-Americans made up 14% of metro Milwaukee's workforce and 4.7% of management. Hispanic/Latino people make up 8% of the areas workforce and 3.4% of management.

- Programs like the Minority Undergraduate Retention Grant (MRG) help eligible students enter and remain in colleges including at MATC. Like many grants and scholarships, the MRG funds have been instrumental in helping students meet the cost of education. Housing, food, utilities, childcare are just a few of the additional survival needs and challenges facing students generally and MATC students in particular. Last year, MATC students received \$97,500 in MRG funds.

ALVERNO COLLEGE
BELLIN COLLEGE
BELOIT COLLEGE
CARROLL UNIVERSITY
CARTHAGE COLLEGE
CONCORDIA UNIVERSITY
EDGEWOOD COLLEGE
HERZING UNIVERSITY
LAKELAND UNIVERSITY
LAWRENCE UNIVERSITY
MARIAN UNIVERSITY



WISCONSIN'S PRIVATE, NONPROFIT COLLEGES AND UNIVERSITIES
WORKING TOGETHER FOR EDUCATIONAL OPPORTUNITY

MARQUETTE UNIVERSITY
MEDICAL COLLEGE OF WISCONSIN
MILWAUKEE INSTITUTE OF ART & DESIGN
MILWAUKEE SCHOOL OF ENGINEERING
MOUNT MARY UNIVERSITY
NASHOTAH HOUSE
NORTHLAND COLLEGE
RIPON COLLEGE
ST. NORBERT COLLEGE
VITERBO UNIVERSITY
WISCONSIN LUTHERAN COLLEGE

Testimony of Rebecca Larson

Executive Vice President for External Relations

Wisconsin Association of Independent Colleges and Universities

To

Assembly Committee on Colleges and Universities

Assembly Bill 554

October 26, 2023

Chair Murphy and Members of the Committee,

Thank you for the opportunity to provide comments for information on Assembly Bill 554. WAICU is the official organization of Wisconsin's 22 private, nonprofit colleges and universities. The impact of Wisconsin's independent institutions in the state is significant. WAICU members are a public service and public good and contribute the following to Wisconsin's economy:

- Graduate more than 13,400 students annually
- Support and sustain nearly 63,000 jobs
- Generate more than \$1.32 billion in local, state, and federal taxes
- Employ more than 19,000 people directly in private, nonprofit higher education
- And has an overall \$7.1 billion economic impact

WAICU members are interwoven into the fabric of Wisconsin's history, many of which were founded more than 150 years ago. In fact, three WAICU member institutions were founded prior to 1856, before Wisconsin became a state. WAICU institutions are grounded in the mission of supporting educational opportunity and many were founded with a focus to serve disadvantaged, underserved, and low-income students.

Nearly 30 percent of students at WAICU institutions come from low-income backgrounds. To realize this mission of working together for educational opportunity, students at WAICU members receive the following:

- 91 percent of students receive grant/scholarship aid at WAICU-member colleges and universities
- For every \$1 in state financial aid provided, WAICU students receive \$23 in institutional aid
- The average financial aid package at WAICU-member schools is 77 percent grants and scholarships – aid that does not have to be paid back

WAICU members are strong contributors to Wisconsin's workforce. WAICU institutions graduate 24 percent of all the bachelor's degrees in the state and 34 percent of all the advanced degrees, many in critical occupations and at no operating expense to the taxpayer. These include:

- 27 percent of the baccalaureate engineering degrees
- 56 percent of bachelor's degrees in nursing
- 41 percent of education degrees at the graduate level
- 78 percent of advanced practice nursing degrees
- 44 percent of the graduate pharmaceutical degrees
- 60 percent of medical doctors
- And 100 percent of the dentists

WAICU members recognize that providing an opportunity for students of all backgrounds to pursue a higher education is essential to our state's future and economic vitality. It is as true today as it was when WAICU member institutions were founded, many over a century ago.

Given all the changes taking place with financial aid on the federal and state level at this time and the required administrative changes for the Higher Educational Aids Board and colleges and universities, we respectfully request the applicability date be moved to the 2025-2026 academic year.



DATE: October 26, 2023
TO: Members of the Assembly Committee on Colleges and Universities
FROM: Universities of Wisconsin Office of Government Relations
RE: Written Testimony on Assembly Bill 554

Thank you, Chair Murphy and committee members, for providing the Universities of Wisconsin an opportunity to submit testimony on Assembly Bill 554 (AB 554).

AB 554 makes changes to minority-based financial aid programs at the Universities of Wisconsin, the Wisconsin Technical College System Board (WTCS), and the Higher Educational Aids Board (HEAB). This legislation would modify the criteria for these programs from race-based to economically disadvantaged. AB 554 would require us to define disadvantaged student and may change the overall average disbursement of aid.

In 2021-22, overall student financial aid for all Universities of Wisconsin students was an average of \$12,070 disbursed to 122,469 individuals. That number includes all sources of aid, including federal, state, and local. Specifically for underrepresented minority students, 20,497 received financial aid and nearly 80% of those students had demonstrated financial need based on the Federal Needs analysis methodology.

Underrepresented minority students on average had greater financial need (\$19,665), than non-underrepresented minority students (\$16,755). Of the aid awarded to underrepresented racial/ethnic minority students, 32% was in the form of loans and 59% was in the form of grants, with the remaining consisting of work and remission aid. In contrast, 51% of aid was in the form of loans and 41% was in the form of grants for non-minority students. These numbers reflect all sources of financial aid, not solely race-based programs.

The two UW programs that AB 554 would alter are the Lawton Grant Program and minority and disadvantaged student programs. The Lawton Grant Program is a statutorily required grant program for undergraduates who are Black American, American Indian, Hispanic, or Hmong. AB 554 would modify this statutory program so that Lawton grants would be given to disadvantaged undergraduate students instead of minority undergraduate students. In 2021-22, 2,694 underrepresented minority students received this grant with an average award of \$2,380.

Minority and disadvantaged student programs are also statutorily required for the Universities of Wisconsin Board of Regents (BOR) to implement. The BOR is required to fund programs for minority and disadvantaged students enrolled in a UW campus, and to fund programs to recruit minority and disadvantaged students. The Advanced Opportunity Program (AOP) is the only systemwide minority and

(Cont.)

disadvantaged state-funded student financial aid program. In 2021-22, 404 underrepresented minority students received aid through the program with an average award of \$8,928. AB 554 would delete the language concerning minority students and retain the language surrounding disadvantaged students to be eligible for these AOP funds.

This summer, the U.S. Supreme Court ruled that universities cannot use race as a determining factor in admitting prospective students. The Supreme Court case did not include a ruling on race-based financial aid programs. As such and since we are required to administer these grants by state statute, these programs have continued to operate under current law. The Universities of Wisconsin is committed to adhering to the U.S. Constitution and will continue to follow the law.

Thank you again for allowing the Universities of Wisconsin to provide testimony on Assembly Bill 554.