

October 27, 2004

Members of the Board of Trustees
The College Board
New York, New York

Dear Colleagues,

Four years ago, at my first Trustees' meeting, I asked a simple question: What percent of National Merit Scholars are Black, Hispanic or American Indian? Now four years later, the Board of Trustees still has not been given an answer. I am deeply troubled by the fact that the College Board has not addressed in a timely manner the issues I have raised.

Several of you have asked me to provide an overall summary of my concerns about the National Merit Scholars Program (NMSPP) before my term as a Trustee ends. In addition, some people have asked me to address specific questions that emerged during our September Trustees' meeting. I hope the following responses prove helpful to you during the coming year as you discuss whether the College Board should continue to endorse the National Merit Scholars Program.

1. Why did you become concerned about the National Merit Scholars Program?

During the ten years that I oversaw outreach, admissions and financial aid at Berkeley, each year we admitted and enrolled hundreds of National Merit Scholars. Not one was Black, Hispanic or American Indian. At the same time, the Berkeley campus ran its own merit scholarship program, the Regents and Chancellors Scholars Program. This program was extremely competitive. A faculty committee selected the students on the basis of their grades, test scores, extracurricular activities, their personal statement and an interview by a team of faculty. In contrast to the National Merit Scholars, the students selected by Berkeley's program were diverse in terms of race, ethnicity, income and language background – not as diverse as the student body as a whole, but diverse nevertheless. Once enrolled at Berkeley, the Regents and Chancellors Scholars did extremely well. In contrast, as a group, the National Merit Scholars did nothing to distinguish themselves academically or otherwise from other students.

This puzzled and disturbed me so I began looking into the National Merit Scholarship program. I found that the program defines merit, in the first instance, exclusively in terms of how well a student does on the PSAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT). The more I looked into the program, the more I became convinced that this is an illegitimate way of defining merit, one that does great harm to underrepresented minorities, poor students and non-native speakers of English.

2. What procedures does the National Merit Scholars Program use to select award recipients? Each October, 2.5 million high school students take the combined PSAT/NMSQT. The PSAT/NMSQT has three sections, two of which assess verbal

skills, one of which assesses math skills. In order to qualify for a National Merit Scholarship, students must take the PSAT/NMSQT in October of their junior year.

The NMSP takes the scores of these students and sets a simple cut-off score to yield a pool of approximately 50,000 high school juniors from which National Merit Scholars will be selected. I believe that the most damage is done at this step – when the cut-off score is used to sort students. Based on preliminary data shared with the PSAT/NMSQT subcommittee but not yet with the full Board, I estimate that 99.7 percent of Black, Hispanic and American Indian students and nearly all poor students from these groups are summarily eliminated at this point. These students, even if they have overcome great hardship or have earned stellar grades, are not given further consideration.

I emphasize that these are my estimates. Even though students who take the PSAT/MMSQT are asked to state their racial/ethnic background, the Trustees have received no precise data on the race, ethnicity and socioeconomic characteristics of the 50,000 students who make the first cut as compared to those of those who are rejected. As Trustees, we must have this basic information to fulfill our fiduciary responsibilities because, without it, we have no way of knowing if the College Board's partnership with the NMSP is compatible with our commitment to equity.

I believe it is not.

3. Who wins and who loses? When we do get the data, I anticipate that we will find that the vast majority of NMSP semifinalists and finalists are affluent white and Asian American students who have had the good fortune to attend well-endowed high schools. I believe that very few African American, Hispanic students or American Indian students, particularly those who are poor or non-native speakers of English, are selected to be National Merit Scholars. The data may prove me wrong, but I doubt it.

I estimate that the percent of National Merit Scholars who are Black, Hispanic or American Indian is close to zero and that the absolute number of poor students from these groups is also close to zero. If we ever learned the precise figures, then we would be forced to question the wisdom and morality of the College Board sponsoring a "merit" scholarship program that effectively locks out Black, Hispanic and American Indian students.

The Trustees should ask how we would design a merit scholarship program if one did not currently exist. I do not know the answer but one thing is clear. We would not design it like the NMSP. Put another way, if we wished to design a scholarship program that denies underrepresented minorities any real chance, we would be hard-pressed to come up with a more effective scheme than that employed by the NMSP. Needless to say, this was not the intent of the NMSP. It is, however, the effect.

4. How should merit be defined? We should not support a definition of merit based, in the first instance, solely on how well a student does on a standardized test.

The NMSP uses PSAT/NMSQT scores to sort very young students into two groups, those with merit and those without. A student who has perfect grades but falls but one point below the PSAT cut-off score is deemed to be without merit. This is not a definition of merit that the Trustees of the College Board should endorse. This way of sorting students does great harm to the vast majority of PSAT takers. It is educationally, psychometrically and socially indefensible.

We should require that any definition of merit be based in large measure on a student's grades. In contrast to test scores, grades reflect what a student actually achieved in school. They are also more powerful predictors of future academic success than test scores.

Most important, Trustees should insist that merit always be defined in much more complex terms than those used by the NMSP. At the very least, we should insist that any definition of merit endorsed by the College Board take into account a student's classroom achievements in light of the opportunities he/she enjoyed and the obstacles he/she faced.

5. What are the consequences of winning or losing? Winners get great benefits. Universities recruit them aggressively. At some universities, they get preferential housing, preferential course enrollment opportunities and access to special programs.

They also get advantageous aid packages. Universities that work with the NMSP are required to award National Merit Scholars "merit" stipends regardless of need. This, in effect, means that many affluent students receive aid that they do not need and that would otherwise go to poor students. In other words, by endorsing the NMSP, the Trustees endorse the practice of taking money from poor students and giving it to rich ones.

This is a practice that the Trustees should condemn, not support.

6. Is this a proper use of the PSAT/NMSQT? The PSAT was not developed to define and assess "merit" and has never been validated for that purpose. We have been given reports that show that there is a correlation between PSAT and SAT scores. We have also been informed that use of the PSAT to select winners and losers is cheaper than other methods. All this may be true, but it is all beside the point. These reports amount to little more than an attempt to justify the status quo.

Trustees should insist that the PSAT be used for its intended purpose – as a practice test that allows students to diagnose their strengths and weaknesses. Our partnership with the NMSP has turned the PSAT from a practice test into a very high stakes test.

Most important, Trustees should oppose the practice of using the PSAT to sort very young students into two groups: those who are meritorious and those who are not.

7. Why must the PSAT/NMSQT be validated for the purpose of selecting merit scholars? Standardized tests are powerful instruments. If misused, they can do great harm. They can be used to unfairly label and categorize students in ways that do lasting

damage. As Trustees of the College Board we have an ethical duty to ensure that all of our tests are used responsibly. That is why the PSAT/NMSQT must be validated before we allow it to be used to select “meritorious” students.

At minimum, any validity study should compare the top 50,000 “meritorious” students with the next 50,000 “non-meritorious” students. These students could be easily divided into those with higher and those with lower grades. This procedure would create four groups: Group A – “meritorious” students with higher grades; Group B – “meritorious” students with lower grades; Group C – “non-meritorious” students with higher grades; and Group D – “non-meritorious” students with lower grades. We could then check the grades these students earned in their first year at college. Through this simple analysis, we could begin to assess whether the PSAT/NMSQT does truly distinguish between “meritorious” and “non-meritorious” students.

I suspect that we have avoided doing this study because we know what we would find. We would most likely find that there is no significant difference between the academic performance of the “meritorious” and “non-meritorious” students and, thus, we would be forced to admit that the method used for dividing the students is unsound.

If we did find a difference, we would most likely find that students in Group C – “non-meritorious” students with higher grades – outperformed students in Group B – “meritorious” students with lower grades. Such a finding, which would be consistent with the College Board’s own research on standardized admissions tests, would leave us with the inconvenient and embarrassing result that the PSAT/NMSQT is used to select the wrong students and reject more deserving ones.

Unless and until we undertake rigorous validity studies, we have no justification for allowing the PSAT to be used by the NMSP.

More important, we must act in accordance with our own principles. We have long argued that our tests should be used responsibly. We have stated that standardized tests should never be used for purposes for which they have not been validated. We have also stated that our tests should be used in conjunction with other important information, most notably grades, because grades rather than test scores are the most powerful predictors of future academic performance. The College Board endorses NMSP practices that violate these basic principles. This is wrong. Our actions should match our words.

8. Is the NMSP fair to non-native speakers of English? The PSAT consists of two verbal sections and one math section. This double weighting of verbal skills, I understand, was the result of a legal settlement with groups that were concerned about fairness to female test takers. I fear that this settlement, however well-intentioned, has caused other inequities, namely that non-native speakers have been put at an unfair disadvantage.

We all know many non-native speakers who excel in school, earn top grades, and who are mastering English as a phenomenal rate, but who, nevertheless, fall below the cut-off score set by the NMSP.

We should have nothing to do with a program that deems these students are without merit.

9. Should we be in close partnership with any organization that ignores the racial/ethnic impact of its programs? We must consider the wisdom of collaborating intimately with the any organization that formally and steadfastly holds that the racial, ethnic and socio-economic impact of its program is of no consequence or concern.

The U.S. Supreme Court, in *Grutter v. Bollinger*, counseled that the future of our democracy depends on providing educational opportunities to young people of all races and ethnicities. The Court stated:

In order to cultivate a set of leaders with legitimacy in the eyes of the citizenry, it is necessary that the path to leadership be visibly open to talented and qualified individuals of every race and ethnicity.

The PSAT/ NMSQT is used to send the opposite message.

I believe that the College Board must always consider how its programs affect disadvantaged groups.

10. Can the National Merit Scholars Program be changed in a way that makes it consistent with College Board principles and values? I fear not. The NMSP is based on the following premise:

It is educationally desirable to divide fifteen and sixteen year old high school students into those who are meritorious and those who are not. It is educationally justifiable to make that division on the basis of whether they score above or below an arbitrarily set cut-off score on a two-hour examination that has never been validated for that use and that students take at the beginning of their junior year. It is socially responsible to confer substantial and enduring benefits on those who fall above the cut-off point at the expense of those who fall below. It is ethically defensible to be indifferent to the racial, ethnic and socioeconomic consequences of these actions.

At the very least, to be consistent with College Board principles and values, any program that purports to judge the merit of very young students must take into account what they actually achieved in the classroom and also what advantages they had and what hardships they overcame. To reflect these principles and values, the NMSP would have to make extensive and expensive changes in its selection procedures.

We have discussed the possibility of the College Board initiating its own merit scholarship program to complement the NMSP. We might, for example, identify some disadvantaged urban or rural high schools and give College Board merit scholarships to the top ranking students in these schools. Such a decorative, showcase program, however would not mitigate the great harm the NMSP does to the vast majority of students. Nor would such a program absolve the College Board of the moral responsibility we assumed when we embraced the NMSP, renamed the PSAT to the PSAT/NMSQT, and made it an integral part of the College Board's products and services. Our partnership legitimizes the NMSP, the peculiar way it defines merit, and how it uses that definition to confer prestige and distribute opportunity and assistance.

I have great appreciation for the national scholarship programs that have been developed for African American and Hispanic students. I believe, however, that the existence of these separate programs does not justify our partnership with the NMSP. I also fear that these separate programs may well reinforce racist stereotypes that underrepresented minorities cannot compete on equal terms with white and Asian American students.

In addition, some have argued that the fault lies not with the PSAT/NMSQT but with America's educational system. Because of the savage inequalities inherent in our educational system, there is an achievement gap between white and Asian American students, on the one hand, and underrepresented minorities, on the other. The PSAT/NMSQT, however, is being used to falsely widen and legitimize that gap. If grades rather than test scores were assessed and if the socioeconomic circumstances of students were considered, there would be many more underrepresented minorities and poor students who would be judged to have merit.

11. Who must bear responsibility for the National Merit Scholars Program? During our last discussion, some felt that responsibility for proper use of the PSAT/NMSQT rests with the NMSP, not with the College Board. Some expressed the view that College Board should do all that it can to persuade the NMSP to change its practices but that is the extent of our responsibility. The College Board, however, cannot evade moral responsibility quite so easily.

The NMSP does design and operate its own program. However, the College Board endorses it and gives it national reach and impact. We bundle it together with the PSAT and market it to a captive and unsuspecting audience of very young students. Without us, the NMSP would not have nearly the prestige, acceptance and impact that it does. It might exist, but it would harm far fewer students.

We encourage students to take the PSAT/NMSQT and we must take full responsibility for how the test is used or misused.

12. What should the College Board do? I believe the College Board should terminate its relationship with the National Merit Scholars Program immediately.

Some may balk at my recommendation on the grounds that such drastic action would be bad for business. Our partnership with the NMSP gives us a substantial competitive advantage over the ACT. This, however, is not a business decision. It is a moral decision with business consequences.

Moreover, forthright action would be good for the College Board's financial well-being. If the College Board owned up to the moral implications of its support of the NMSP and terminated its relationship with the NMSP, then we might partially allay the great suspicion and distrust our programs evoke among many underrepresented minority students and disadvantaged students.

A few people might be tempted to argue that our partnership with the NMSP is justified because it generates revenue the College Board uses to sponsor programs aimed at increasing opportunities for underrepresented minorities and disadvantaged students. This argument, however, is based on the premise that it is permissible to hurt students so that we can get the funds to help them. I am confident that all Trustees will summarily reject this self-justifying position.

It is critical that the College Board act now. The College Board is in the process of launching two national initiatives – SpringBoard and the new SAT I. If we want the support of minority and disadvantaged communities, we must earn it. We cannot earn that respect if we continue to endorse the NMSP and market it to PSAT/NMSQT takers while knowing full-well that an underrepresented minority student, particularly a student from a low-income background, has no real chance of being named a National Merit Scholar.

I wish to make clear that, while I am critical of the College Board's endorsement of the NMSP, I strongly support the PSAT. The College Board's efforts in Florida, for example, show how the PSAT can be used to open opportunities and inspire students. However, I am opposed to the College Board's partnership with NMSP because we are allowing the PSAT to be used to deny opportunity and discourage students.

I hope that you find the foregoing comments helpful. I appreciate that some will disagree with my views. I, therefore, recommend that we respect our governance structure and put these issues before the College Board's several councils and committees for formal review and advice. I recommend that we invite member institutions to join our discussion. In addition, I recommend that we make this a topic of discussion at all 2005 regional meetings and at the 2005 National Forum. I would welcome the opportunity serve on panels to discuss and debate these matters. Finally, because our partnership with the NMSP gives us a great market advantage over the ACT, I recommend that we ask an independent commission to review the issues that I have raised. Specifically, I recommend that we request Professor Gary Orfield, director of the Harvard Civil Rights Project which has sponsored ground-breaking studies of merit scholarship programs, to empanel a group of experts to review the issues and to make recommendations. This step would ensure that the College Board's review of these matters is untainted by market concerns and is conducted with complete integrity.

I realize that some may argue that the College Board need take no action, that, while some students may unfairly benefit from the NMSP, no student is injured. I disagree. I have spoken to many students who described their bewilderment as they watched classmates who had earned lower grades in less demanding courses being honored at high school assemblies and feted by local newspapers simply because they had been named National Merit Scholars. I have listened to students describe the discouragement they felt as they witnessed universities from around the country recruit their classmates by offering them substantial financial and other inducements. I have heard students describe the hurt they felt when, despite outstanding achievements inside and outside of the classroom, they were considered undeserving of special recognition or attention. Worst of all, I have heard students say that they began to devalue their accomplishments and doubt their ability because they had been judged to be without merit.

It is these students that the College Board should honor and protect. It is on their behalf that I put these issues before the Board of Trustees.

It pains me to speak so harshly about how the College Board is allowing the PSAT/NMSQT to be misused. However, I would not be fulfilling my duty as a Trustee if I did not state my concerns frankly and openly. I believe that one of our signature programs, the PSAT/NMSQT is being used in a manner wholly incompatible with our commitment to either equity or excellence.

I believe the College Board's endorsement of National Merit Scholarship Program enables it to advance a false definition of merit, one that harms especially underrepresented minorities, poor students and non-native speakers of English. The NMSP encourages unsound practices that confer significant and enduring benefits on the privileged at the expense of the disadvantaged. The College Board's partnership with the NMSP compromises fundamentally our efforts to work toward a system of American education that is both excellent and just.

Respectfully,

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