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**Janet Nguyen: SCA5 is a warning for state
By: JANET NGUYEN**

Senate Constitutional Amendment 5, a divisive piece of legislation that sought to repeal portions of Proposition 209, has been tabled. For the time being, California voters will not be forced to decide whether they want to grant preferential treatment in public education to individuals on the basis of race, sex, color, ethnicity or national origin. However, the battle over SCA5 is not over.

In the past, SCA5's author Sen. Ed Hernandez made similar attempts to reintroduce preferential treatment into public education, first in 2010, with Assembly Bill 2047, and in 2011, with Senate Bill 185. Democratic Gov. Jerry Brown and Republican Gov. Arnold Schwarzenegger vetoed both bills. Consequently, while SCA5 is temporarily dormant, there is no guarantee that it will not return.

Before it was halted, SCA5 was passed in the California Senate without a single Republican vote because Democrats hold a two-thirds majority of seats. Having this two-thirds majority unintentionally creates a setting where legislation of critical importance to all California residents could be passed without any input from the minority party who may have another point of view. Regardless of your party affiliation, an environment where one party's opinions are disregarded is not conducive to sound policymaking.

In addition to my concerns over the manner in which SCA5 was passed in the Senate, I was most concerned about the content of the legislation. The amendment aimed to fix a symptom of a larger problem by tampering with admissions criteria. Consequently, if I had been presented with the opportunity to vote on it, I would have firmly voted against it. However, I would have recognized the need for a solution to the problems highlighted by SCA5.

In the case of SCA5, we don't need legislation; we need a solution for the deficiencies in the K-12 education system that are creating an environment where fewer minorities are applying to college.

Data from the UC Office of the President and the CSU Analytic Studies division show that minority students are being accepted into our UC and CSU systems in higher

proportions but the amount of college applications submitted by minorities is still limited. Finding out the reasons why we have limited minority applications should be the focus, not changing the criteria used in college admissions.

As an immigrant whose family came to the United States in search of freedom, my parents reminded my siblings and me that our life would be better if we took advantage of the educational system in this country. In Vietnam, only children with financial means or connections have the opportunity to have an education. Because of this, I have always placed a great value on education. I knew that obtaining a higher education would be the key for me to advance and I want all children to have that opportunity, regardless of their race, sex, color, ethnicity or national origin.

We need to talk about how we can proactively enhance the K-12 education system to make sure that we increase the chances for all children who wish to pursue their dreams of attending higher education.

What we don't need to do is advocate in favor of legislation, like SCA5, that seeks to divide rather than unite. Unfortunately, the two-thirds majority in the state Senate has made it possible for legislation like SCA5 to be passed without debate.