



Client Alert, News

New Law Prohibits the Consideration of Legacy and Donor Status in Private College and University Admissions

California Governor Gavin Newsom signed a bill on September 30, 2024, that prohibits private higher education institutions from giving admission preferences to applicants because of their relationships with donors or alumni of the institution.

The bill, AB 1780, effective September 1, 2025, added section 66018.4 to the Education Code. The stated intent is to “stop the practice of legacy and donor admissions and protect students as they pursue their higher education.”

The new law impacts what information private non-profit colleges and universities who receive state funding can collect on their application forms. It prohibits questions that seek information about the donor status of applicants' families and prohibits institutions from considering that information in the application process. Applications may also no longer include questions about whether applicants' relatives attended the institution and prohibits the consideration of legacy status.

The law requires private colleges and universities to report, on or before June 30, 2026, and annually thereafter, to the Legislature whether they complied with AB 1780's provisions. If they complied, no further reporting is required. If not, the report must include information concerning the legacy and donor status, race, residence, income brackets, and athletic status of newly enrolled students. It would also need to include, in the aggregate, the admission rate of students who are provided a legacy or donor preference in admissions as compared to students who were not given such preferences.

The law requires the Department of Justice to post the names of the institutions that violated the law on its internet website during the following fiscal year.



AB 1780 places additional restrictions on the factors private colleges and universities can consider in the admissions process. It follows the 2023 Supreme Court ruling in which the Court held that Harvard College's admissions practices violated the equal protect clause of the Fourteenth Amendment. That decision prohibits colleges and universities from considering race as a factor in the application process.

According to the bill's author, Assemblymember Phil Ting (D-San Francisco), "We're told that opportunities are available to anyone who works hard and gets good grades. But that's simply not true. There's a side door for students who come from wealth or have connections. Because I believe strongly in the value of diversity in higher education, I brought this legislation back in light of the SCOTUS ruling to level the college admissions playing field for our students."

F3 attorneys are available to assist in navigating the restrictions of the new law and in addressing questions concerning the evolving legal landscape in this area.

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