Legacy and Athlete Preferences at Harvard*

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Abstract

The lawsuit *Students For Fair Admissions v. Harvard University* provided an unprecedented look at how an elite school makes admissions decisions. Using publicly released reports, we examine the preferences Harvard gives for recruited athletes, legacies, those on the dean's interest list, and children of faculty and staff (ALDCs). Among white admits, over 43% are ALDC. Among admits who are African American, Asian American, and Hispanic, the share is less than 16% each. Our model of admissions shows that roughly three-quarters of white ALDC admits would have been rejected if they had been treated as typical white applicants. Removing preferences for athletes and legacies would significantly alter the racial distribution of admitted students, with the share of white admits falling and all other groups rising or remaining unchanged.

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1 Introduction

The Students for Fair Admissions (SFFA) lawsuit against Harvard University provided unprecedented access to how Harvard makes admissions decisions and to the data underlying those decisions. While the focus of the lawsuit was on Asian American discrimination (relative to whites) and the size of racial preferences, the data also revealed how preferences operate for other applicant groups, including recruited athletes, legacies, those on the dean's interest list, and children of faculty and staff (ALDCs).[1] The aim of this paper is to estimate the admission advantages ALDC applicants receive relative to typical applicants and show how these advantages impact the racial composition of Harvard's admitted class.

In light of the recent college admissions scandal (Chappell and Kennedy, 2019), the treatment of ALDC students in college admissions is receiving renewed scrutiny. Wealth inequality in the US has been expanding for decades and college admissions preferences for groups that may already be advantaged are generally viewed poorly (Larson, 2006). Additionally, there is widespread concern about the "fairness" of college admissions. Applicants with greater academic preparation and accomplishments expect to be admitted at higher rates relative to less qualified applicants. Preferences for ALDC applicants have the potential to subvert this meritocratic ideal.[2] Finally, underlying the rising concerns about privilege and fairness in college admissions is the growing competitiveness of the higher education market. Over the past twenty years, application levels have risen dramatically at elite colleges and universities in the US, with essentially no change in the number of seats available.[3]

While detailed admissions data are tightly guarded by universities, rich data on Harvard admissions were made available as a result of the court case. The data contain a plethora of applicant characteristics, including detailed information on demographics, academics, and extracurricular activities. Of particular importance, the data contain information on Har-

[1]The term ALDC was first used in the defendant's expert witness rebuttal report (Document 419-143, p. 30). As indicated in the Day 3 Trial Transcript, the dean's interest list contains a set of applicants that is of special importance to the dean of admissions. In particular, this list will include applicants whose parents or relatives have donated or show potential to donate to Harvard.

[2]Legacy preferences are relevant at many competitive schools in the United States. Kochkodin (2019) indicates that children of alumni make up 14%, 22%, 18%, and approximately 12% of the 2022 classes enrolled at Princeton, Notre Dame, the University of North Carolina, and Duke University, respectively.

[3]See Bound, Hershbein, and Long (2009) and DeSilver (2019).

vard's internal ratings of its applicants on a host of dimensions, including academic, extracurricular, athletic, and personal. The availability of Harvard's internal ratings allows us to better describe the differences between ALDC and typical applicants, as well as to account for factors that would typically be unavailable when estimating admissions models.

We find that, for each special applicant group under the ALDC umbrella, applicants and admits are disproportionately white and come from higher income households. For example, 40% of typical applicants are white, while nearly 70% of legacy applicants are white. When we explore other characteristics, such as academic preparation, extracurricular strength, and personal qualities, the results are more nuanced. On average, LDC applicants (that is, excluding athletes) are stronger than typical applicants. However, the average LDC admit is weaker than the average typical admit, suggesting an admissions advantage for LDC applicants. The admissions advantage for recruited athletes appears to be even stronger. Admitted athletes have significantly worse credentials than typical admits, and in some cases, typical *applicants*.[4]

To more precisely measure ALDC admission preferences, we estimate a model of Harvard admissions that accounts for hundreds of applicant characteristics, including Harvard's academic, extracurricular, and athletic ratings, among others. Admissions preferences for ALDC applicants are substantial. We find that a white typical applicant with a 10% chance of admission would see a five-fold increase in admissions likelihood if they were a legacy; more than a seven-fold increase if they were on the dean's interest list; and that they would be admitted with near certainty if they were a recruited athlete.[5]

Finally, we explore how the admitted class at Harvard would change if ALDC preferences were eliminated. First, we estimate that roughly one-quarter of white ALDC admits would have been admitted had they been treated as white typical applicants. Given the highly advantaged status of this group, eliminating ALDC preferences would tend to reduce the household income level among Harvard admits. Second, we explore how the number of admits in each racial/ethnic group would change if legacy and athlete preferences were

[4]One might suppose that recruited athletes are a small share of students admitted to Harvard. They are not, representing 10% of admits. In fact, Harvard offers 42 Division I intercollegiate sports teams—the most in the nation. See https://college.harvard.edu/student-residential-life/athletics. For more information about Harvard athletics, see Appendix E.

[5]We focus on whites because they make up the vast majority of ALDC applicants and admits.

removed, holding fixed the total number of admits. We find that removing either of these preferences would result in significantly fewer white admits with increases or no change in the number of African American, Hispanic, and Asian American admits.[6] However, the increase in diversity resulting from the elimination of legacy and athlete preferences pales in comparison to the diversity benefits stemming from racial preferences. We show that eliminating legacy and athlete preferences *and* racial preferences would result in a 69% and 42% decline in African American and Hispanic admits, respectively.

Due to the paucity of admissions data, the number of papers analyzing legacy and athlete admission preferences is limited. Espenshade, Chung, and Walling (2004) use admissions data from three elite research universities to estimate the admissions tip that legacies and athletes receive conditional on SAT scores, race, and gender. They find that legacy and athlete status increases the odds of admission by three times and four times, respectively. In our preferred model, the corresponding increases in odds are substantially higher at over eight (legacies) and *five thousand* (athletes) times. This reflects at least two factors: our model provides substantially more explanatory power than their models due to the wealth of data provided;[7] and there is evidence that legacy and athlete preferences have been increasing over time.[8] Hurwitz (2011) uses data from thirty private colleges and universities and finds that legacy applicants are again three times more likely to be admitted. To help account for unobserved differences between legacy and non-legacy applicants, he exploits multiple applications per applicant in a fixed-effects-type model. An assumption of this model is that different schools value applicant attributes equivalently. Our approach instead uses more detailed applicant data and a single school's own set of internal ratings to help account for differences between ALDC and typical applicants.

[6]Removing preferences for recruited athletes leaves the number of African Americans essentially unchanged, with increases for Hispanic and Asian American admits. Removing legacy preferences increases the number of admits for each of the non-white groups.

[7]The Pseudo R^2 values of their models are around 0.2 while our preferred model has a Pseudo R^2 of 0.56. The more explanatory power of the model, the higher the log-odds all else equal, due to the coefficient estimates of logit models being estimated relative to the variance of the unobservables. See Norton and Dowd (2018) for a discussion of this issue.

[8]Arcidiacono, Kinsler, and Ransom (2019) demonstrate that the admissions advantages athlete and legacy applicants receive at Harvard have increased substantially over the past twenty years. In particular, the admit rate for athlete and legacy domestic applicants relative to the admit rate for non-athlete and non-legacy domestic applicants has increased from a ratio of 4:1 to 9:1 between the Classes of 2000 and 2017.

2 Harvard Admissions Data

Our analysis of ALDC applicants and admissions is based upon anonymized data provided by Harvard on domestic applicants. The applicants come from the set of students who would have graduated from Harvard in 2014–2019. This range includes students who would typically have been applying to Harvard in the fall of 2009–2014 and graduating from high school in the spring of 2010–2015. In all, the sample consists of 166,727 domestic, non-transfer, complete applications.[9]

For each applicant, the data contain detailed demographic information, geography, intended major, academic performance in a variety of categories, and final admission decisions. Critically, the data also include indicator variables for each of the LDC categories. Recruited athletes are identified as those applicants who receive a 1 on Harvard's athletic rating.

A key advantage of using Harvard's data to study ALDC preferences is the availability of internal ratings like the athletic rating. Admissions staff, also known as "readers", assign each application a set of numerical codes indicating its strength.[10] Readers give an overall rating as well as a rating profile, which is composed of ratings in the following areas: academic, extracurricular, athletic, and personal. Additionally, competitive applications are rated on the "full profile," which includes the strength of support from the applicant's teachers and school counselor (school support ratings) and ratings assigned by alumni or staff interviewers. Each of the ratings is on a five-point scale, with lower numbers indicating better ratings.

It is important to point out that we no longer have access to Harvard's individual-level applicant data. As a result, the findings presented in the current paper are based solely on information in the publicly released versions of the expert witness reports or information publicly released in other documents. A full list of the documents we rely on is presented in Appendix A. All documents are publicly available either at the URL in the bibliography, or on the Public Access to Court Electronic Records (PACER) website at `https://www.pacer.gov/`. Fortunately, the publicly available documents provide enough detailed information for us to infer the characteristics of ALDC applicants relative to their typical applicant peers,

[9] For further details about the data and sample selection, see sections 2.2 and 2.3 of Document 415-8 and section 3 of Document 419-141.

[10] See Trial Exhibit P001 for additional details regarding Harvard's ratings and admissions process.

and the preferences afforded to ALDC applicants in the admissions process. Appendix B shows how each number we present is generated based on information in the public record.

3 Characteristics of ALDC Applicants and Admits

ALDC and typical applicants differ significantly in terms of admissions outcomes and traits. We begin by describing admission rates and racial composition across ALDC status. We then examine how Harvard ratings vary with ALDC status.

3.1 Admission rates and racial composition of ALDCs

Prior research suggests that ALDC applicants receive large admissions preferences. We observe similar patterns at Harvard, with ALDC applicants admitted at a rate above 30% and typical applicants admitted at rate of just 5.5%. Panel A of Table 1 breaks down these aggregate admissions rates by ALDC category and race.[11] All ALDC groups experience higher admission rates relative to typical applicants, and the pattern is consistent across race. For example, white and African American applicants on the dean's list have admit rates of 42% and 33%, while their typical applicant counterparts have admit rates of 5% and 8%. Admission rates are especially high for athletes at over 86% for each racial group.

While all racial groups see higher admit rates as ALDCs, they do not benefit equally from ALDC preferences as the share of each racial group that is ALDC varies considerably. This is illustrated in Panels B and C of Table 1 which show the racial distribution of applicants and admits for typical applicants and each of the ALDC categories. For each ALDC category, the white shares of applicants and admits are substantially higher than the corresponding white shares of non-ALDC applicants and admits. For example, over 68% of recruited athletes, legacies, and dean's interest list applicants are white, yet less than 41% of typical applicants are white. All other racial groups see higher representation among typical applicants and admits than in any of the corresponding ALDC applicant and admit categories.[12]

[11] Note that the ALDC categories are not mutually exclusive. For example, it is possible for an applicant to both be a legacy and to be in one of the other ALDC categories.

[12] There is one exception: Asian Americans represent a slightly greater share of children of faculty and staff admits than typical admits. However, this category is much smaller than the other ALDC categories.

The final panel of Table 1 documents the share of admits who are in each of the ALDC categories by race. For non-whites, the share of ALDC admits is less than 16% for each racial/ethnic group.[13] The corresponding share for whites is much higher at over 43%. Indeed, the share of white admits who are recruited athletes *alone* is higher than the share of ALDC admits *as a whole* for any of the other racial/ethnic groups.

3.2 Harvard Ratings

The high admission rates for ALDC applicants may reflect their relative strength on the dimensions Harvard values. We investigate this by measuring applicant strength as the rate of receiving a score of 2 or better on Harvard's internal ratings. Table 2 shows ratings distributions for Harvard's overall and profile ratings by race for typical and LDC applicants, as well as for typical, LDC, and athlete admits.[14] We are only able to bound the ratings distributions for admitted athletes given what is available in the public record.[15]

There are three broad patterns illustrated in Table 2. First, LDC applicants are stronger on average than typical applicants, though the relative strength of LDC applicants depends on the rating. The gaps are especially large for the overall, athletic, and personal ratings. On the overall rating, Hispanic LDC applicants have the lowest share of 2's at 18.5% when compared to LDC applicants of other racial groups. But this share is 3.5 times larger than the highest share for typical applicants (African Americans at 5.3%). In contrast, on the academic rating, typical Asian American applicants have a higher share of 2's than the LDC applicants of the other three races/ethnicities.

Second, the comparative advantage of LDC applicants over typical applicants generally reverses when we look only at those applicants who were admitted. The third and fourth columns of Table 2 show that LDC admits are weaker than typical admits in most dimensions.

[13] Because of overlap in ALDC group membership, we compute this as 100 minus the typical share.

[14] Appendix Tables D1, D2, and D3 show the distribution of all Harvard ratings for LDC applicants, LDC admits, and recruited athletes, respectively. Note that Table D3 includes recruited athlete applicants. In the main text we focus on recruited athlete admits since it is more difficult to recover Harvard ratings for recruited athlete applicants from the publicly disclosed documents. This is not particularly limiting, since the admit rate for recruited athletes is above 85%.

[15] Recruited athletes were included in some results in Document 415-8 but were completely excluded from Document 415-9. See Appendix B for complete details.

This is not true for the athletic rating, which especially favors LDC applicants.[16]

Third, recruited athlete admits are universally weaker than typical and LDC admits apart from the athletic rating. For some race and rating combinations, the differences are especially striking. At most, 28% of white athlete admits receive a 2 or higher on the academic rating. In contrast, 89% of white typical admits receive a 2 or higher on the academic rating. In many cases—and in contrast to LDC admits—recruited athlete *admits* are substantially weaker than typical *applicants*.[17] Typical applicants on average have higher academic and extracurricular ratings than admitted recruited athletes of the same race for all groups.[18] On the overall and personal ratings, however, recruited athlete admits do have higher scores than typical applicants.

The patterns described above suggest that LDC applicants to Harvard are doubly advantaged in Harvard's holistic admissions process. First, Harvard's extracurricular, personal, and athletic ratings strongly favor these groups (see also Lee and Ries, 2019). This is not surprising given the economic advantages LDC applicants experience relative to their typical applicant peers. Harvard application readers label only 1.8% of LDC applicants as disadvantaged, while 12.6% of typical applicants are tagged as disadvantaged.[19] Somewhat surprisingly, a similar pattern emerges for recruited athletes. At most, 3.2% of white admitted athletes are economically disadvantaged, while the corresponding number for white typical admits is 14.6%.[20] Additionally, *The Harvard Crimson* surveys each incoming class about their family background. For the Class of 2019, 40.7% of legacy respondents and 26% of recruited athlete respondents respectively have parents who earn more than $500K,

[16]There are a handful of other ratings and race combinations for which LDC admits are stronger than typical admits, but this only occurs for African Americans and Hispanics. Here it is important to note that the tip African Americans and Hispanics receive for LDC status is lower than that of typical applicants. We discuss this further in Section 4.

[17]Indeed, the only applicants admitted with a 5 on the academic rating were recruited athletes. For those who scored a 4 on the academic rating, the admit rate was 0.02% for typical applicants, 3.5% for LDC applicants, and over 79% for recruited athletes. See Trial Exhibit P618.

[18]The one exception is for Hispanics on the academic rating where the share of typical applicants who receive a 2 or better falls within the bounds for recruited athlete admits.

[19]Authors' calculations from data presented in Tables B.3.1R and B.3.2R of Document 415-9.

[20]These numbers can be derived using Table B.3.2 from Document 415-8 and Table B.3.2R from Document 415-9. A similar pattern exists for the other racial groups—the upper bound for athletes is well below the value for typical admits. We focus on white athletes since they account for close to 70% of admitted recruited athletes (see Panel C of Table 1).

which is the Top 1% of US income.[21] The corresponding share for all respondents—including legacies and athletes—is only 15.4%.[22] Recruited athletes at Harvard tend to be advantaged and disproportionately white in part because of the varsity sports Harvard offers, including fencing, sailing, and skiing. These sports are expensive to play and are only offered at elite public and private secondary schools.

Non-academic factors, such as the personal and extracurricular ratings, are included in the admissions process to allow for a more comprehensive view of an applicant. It is widely believed that this holistic approach—pursued by many elite US universities—opens doors for less advantaged applicants. Harvard's non-academic ratings appear to achieve that goal only if race is the central characteristic defining disadvantage. The gap between white and under-represented minority applicants is much smaller for non-academic ratings as compared to the academic rating. However, *within* racial groups, these holistic admissions criteria favor advantaged, ALDC applicants. For example, ALDC applicants score substantially better on the personal rating than on the academic rating when compared to typical applicants.

The second advantage experienced by ALDC applicants is related directly to admissions decisions. Despite their strength in the applicant pool, the average ALDC admit is weaker than the average typical admit. This suggests a significant preference for ALDC applicants in the admissions process. However, these descriptive statistics cannot rule out the possibility that ALDC applicants are stronger once we account for all characteristics jointly and in the manner that Harvard weighs them in the admissions decision. In the following sections, we investigate this possibility by estimating a model of Harvard admissions. We find evidence of large and significant admissions advantages.

[21] See Klein and Keto (2015). The share of legacies whose parents earn above \$500K is not reported directly. However, the survey reports the probability of being a legacy, the distribution of family income for all respondents, and legacy by family income. We use these numbers to calculate the share of legacies whose parents earn above \$500K according to:

$$P(\text{income} > \$500K \,|\, \text{legacy}) = \frac{P(\text{legacy} \,|\, \text{income} > \$500K) \times P(\text{income} > \$500K)}{P(\text{legacy})}.$$

See Sommeiller and Price (2018) for data on the U.S. income distribution.

[22] Remarkably, using data from 20 years earlier, Chetty et al. (2017b) also estimate that 15.4% of students at Harvard come from families in the Top 1% of the income distribution, which is about the same number as from the bottom three quintiles combined (see p. 14). Chetty et al. (2017a) show that the share of Harvard students from the Top 1% has stayed steady at about 15% since 2000.

4 Estimates of the Legacy and Athlete Advantage

To better understand the source of the gap in admission rates between ALDC and typical applicants, we estimate a logistic regression model of Harvard's admissions decisions. A full discussion of the admissions model we estimate, as well as a list of all controls, is given in Appendix C.[23] Here, we provide a brief overview.

4.1 Admissions Model and Estimates

The Harvard admissions data cover six admissions cycles and include hundreds of variables describing each applicant. It is not feasible to include every variable separately in every year, as we would ultimately have as many regressors as admits. We choose to pool the application cycles and estimate a single logistic regression with indicators for each admissions cycle. Estimating the model with indicators for each admissions cycle ensures that the predicted number of admits matches the actual number of admits. We also choose to exclude athletes. With the admit rate of athletes at 86% compared to less than 5.5% for typical applicants, what variables matter and how they matter is likely different for athletes.[24]

Including only the admissions cycle indicators to capture the time-varying component of Harvard's admission process would be consistent with Harvard having a single index of applicant quality in every year. Yet, there is evidence that Harvard cares about the composition of the admitted class. During the weeks and months that Harvard makes final admissions decisions, the admissions office publishes statistics about the makeup of the provisional admitted class and how these numbers compare to previous classes.[25] Admissions officers can use these "one-pagers" to generate similarly constituted admit classes over time, even if the applicant pool is changing.[26] To capture these effects, we include interactions of

[23] Additional details are provided in Section 3.7 of Document 415-8 and Section 8 of Document 415-9.

[24] In section 5, we show that factors such as the academic rating and extracurricular rating become less important when athletes are included in the model. Although we believe it is more appropriate to exclude athletes, we present in the appendix estimates of models with athletes included. It is important to note that the control variables in the models with athletes differ slightly from the models excluding athletes. Full details on these differences are provided in Section 8 of Document 415-9.

[25] See Trial Exhibit P164 for the characteristics that Harvard tracks as they make admissions decisions.

[26] Arcidiacono, Kinsler, and Ransom (2019) show that the fraction of admitted students that are legacy and athlete shows no time trend over an 18-year period, despite legacies and athletes making up a decreasing share of applicants over time.

many of the variables on the one-pagers with admission cycle indicators.

We incorporate a broad set of applicant controls in the model, including numerous measures of socioeconomic status, neighborhood and high school attributes, geographical region, intended major, and academic aptitude, among others. We incorporate many of Harvard's internal ratings, including the academic, extracurricular, athletic, the school support measures, and the alumni interviewer ratings. For each rating we create separate indicator variables for rating levels from 1 to 5. We do not include the overall rating or the personal rating. The overall rating is specifically designed to incorporate admissions preferences, and there is empirical evidence that the personal rating is influenced by LDC preferences.[27] While there is little evidence Harvard's other ratings incorporate significant bonuses for LDC applicants, our estimates of the size of LDC preferences would likely be understated if they did.[28]

To allow for the possibility that racial preferences operate differently for LDC applicants, we also interact each of the LDC categories with race. For similar reasons, we interact race with a number of other characteristics, such as disadvantaged status and gender.[29] In total, our preferred model includes more than 350 variables.

Our estimated LDC preferences can be interpreted as causal as long as LDC status is uncorrelated with unobserved factors affecting admissions and the admissions index is specified appropriately. We believe the first assumption is reasonable given the richness of Harvard's applicant data. Moreover, it is difficult to envision an alternative method that would allow researchers to exogenously manipulate LDC status. For example, an audit-type study is not feasible when the application process is so data- and time-intensive.[30]

[27] Document 415-9 estimates an ordered logit model of the personal rating that includes other applicant attributes and finds that legacies receive a large and statistically significant bonus (see Table B.6.7R). Despite being an improper control, we include the personal rating in some specifications as a robustness check.

[28] For Harvard's other internal ratings, any bumps legacies receive tend to be small or statistically insignificant. See Tables B.6.5R and B.6.6R in Document 415-9. Note that no model of the athletic rating is available and thus we cannot say whether the observed LDC advantage in this rating reflects preferences.

[29] Arcidiacono (2005) shows that racial preferences for African Americans in admissions and financial aid vary with whether the applicant is low income. African American applicants are disproportionately female (60%), so if Harvard is interested in gender balance within race African American men may see larger preferences than African American women. This is in contrast to the applicant pool as a whole, which is less than 50% female. See Document 415-9, Table B.3.2R.

[30] If colleges and universities decide to eliminate LDC preferences in the future, it may be possible to exploit such natural experiments. For example, Johns Hopkins University announced in early 2020 that it had begun phasing out legacy admissions in 2014 (Jump, 2020). Since 2009, the percentage of legacies at Hopkins in the incoming freshman class has dropped from 12.5 percent to 3.5 percent. However, this alone is not sufficient to understand the size of legacy preferences. First, the underlying applicant pool is

The second assumption is likely violated since we do not interact LDC status with all applicant attributes in our admissions index. The relative importance of other applicant characteristics, such as academics, matter differently for LDC applicants. For example, *no* white, Hispanic, or Asian American typical applicants were admitted in the bottom decile of academic preparation as measured by SAT and high school GPA.[31] Yet, white LDC applicants in the bottom decile of academic preparation were admitted at a higher rate (6.35%) than the average across all typical applicants (5.46%).[32] As a result, a better approach would entail estimating an admissions model using only typical applicants and then applying the coefficients from this model to generate predicted admission probabilities for LDC applicants. Although we are unable to pursue this alternative, it is likely that our estimated LDC preferences are biased downwards as a result of misspecification. When we fail to interact academics with LDC status, for example, the estimated impact of academics is attenuated relative to the truth. Accordingly, LDC preferences do not need to be as strong to rationalize their admissions outcomes. We discuss this issue in more detail in Section 5.2.

Table 3 displays a subset of the coefficients from our admissions model as we vary the set of controls. Model 5 is our preferred model, yielding a Pseudo R^2 of 0.56.[33] Since we interact variables such as legacy and dean's interest with year, all coefficients are for the base year, the Class of 2014.[34] Note that even if we exclude Harvard's ratings (Model 4) or include the personal rating (Model 6), LDC preferences remain large and statistically significant.

The estimated coefficients on indicators for legacy, double legacy (i.e. both parents are alumni), faculty or staff child, and being on the dean's interest list are all large, positive, and statistically significant. The odds ratio for legacy is 8.5, and is even larger for double

likely changing over time, complicating any pre-post comparisons. Second, a school that eliminates legacy preferences may respond by re-weighting other applicant attributes. This will tend to understate the true extent to which schools value legacy applicants.

[31] Author calculations from data presented in Tables 5.1R, 5.2R, B.5.1R and B.5.2R of Document 415-9.

[32] ibid.

[33] By comparison, the models in Espenshade, Chung, and Walling (2004) achieve a Pseudo R^2 no larger than 0.20. The Pseudo R^2 is a different measure from the R^2, and the two are not interchangeable. As measures, the only similarities the two have is that they run on a scale from 0 to 1, and higher values on either are indicative of a better fit of the data. McFadden (1979) indicates that values of 0.2 to 0.4 for the Pseudo R^2 represent an excellent fit.

[34] While the coefficients on legacy interacted with year were included in the publicly released reports, other interactions between year and special recruiting categories were not reported. Hence, we focus on the Class of 2014 for the transformation exercises in the next paragraph. The interactions on legacy range from 0.264 (Class of 2015) to -0.474 (Class of 2019), suggesting 2014 is fairly representative.

legacies, those on the dean's interest list, and children of faculty. In a slightly altered model that includes athletes, the odds ratio for athletes exceeds five thousand (see Table D4).[35]

We emphasize that the estimated strength of ALDC preferences is not a product of a particular model specification. While we do not believe our preferred model is overfit, we can compare our estimates with models that have fewer controls. A model that removes Harvard's internal ratings has a worse fit (Pseudo $R^2 = 0.32$ rather than 0.56), but still estimates substantial preferences: the odds ratio for legacy is over 5.5, with dean's interest list and children of faculty seeing even larger magnitudes. The corresponding model in Table D4 that excludes the internal ratings gives an athlete odds ratio over 1,400.

To further put the size of LDC preferences from our preferred model in context, consider a white typical applicant with a baseline probability of admission of 10%. If this applicant were switched to a legacy, holding all other characteristics fixed, the admission probability would rise to 49%.[36] Switching the same typical applicant to a double legacy or dean's list member would increase the likelihood of admission to 65% and 75%, respectively. Yet, shifting this typical applicant into the disadvantaged category only increases the admission probability to 36%. Similar calculations of the impact of LDC preferences can be executed for other racial groups. While the broad patterns are the same, the LDC bumps for African American and Hispanic applicants are more muted.

Using the results in Table D4, a similar calculation can be made for athletes. A typical applicant with only a 1% chance of admission would see his admission likelihood increase to 98% if he were a recruited athlete. Being a recruited athlete essentially guarantees admission even for the least-qualified applicants. A similar calculation, but in reverse, emphasizes the advantage athletes receive. An athlete who has an 86% probability of admission—the average rate among athletes—would have only a 0.1% chance of admission absent the athlete tip.

[35] This alternative model contains fewer controls, but is otherwise similar to the model outlined in the previous section. See Figure 7.1 in Document 415-8 for a detailed description of the controls in the model. The relevant sample is discussed in Section 2.3.3. The coefficient on the recruited athlete variable is substantially larger than any of the other previously discussed preferences, regardless of the controls we include.

[36] If the baseline probability of admission for a typical applicant is X, we can calculate the index of observables, Z, for this applicant according to the log odds formula, $Z = \ln\left(\frac{X}{1-X}\right)$. If the applicant were a legacy, we simply add the coefficient on the legacy indicator (2.141) so that the new admissions index would be $Z + 2.141$. The new admission probability would then be given by $\frac{\exp(Z+2.141)}{1+\exp(Z+2.141)}$.

4.2 Removing Preferences

The transformation approach discussed in the previous section can only tell us how the admit probability for a hypothetical applicant would change with legacy or athlete status. But because we do not know the full distribution of attributes for ALDC applicants (nor do we report all estimated model coefficients), we cannot determine what would happen to the admissions chances of ALDC applicants more broadly if these preferences were removed. However, calculations presented in Exhibit 287 allow us to address this question, abstracting from class size concerns. The admissions model used in this public document is quite similar to the model used to calculate LDC preferences. The one difference is that athletes were added back into the model and athlete was interacted with race.

The first sets of rows of Table 4 show the total number of admits and applicants overall and by LDC and athlete status. These rows are followed by admission rates by ALDC status. The typical admit rates range from 4.9% (white) to 7.6% (African Americans). For ALDC applicants, the admit rates range from 42.6% (Hispanics) to 46.7% (African Americans). The exhibit makes it possible to show how much of this admit rate gap between ALDCs and the overall population is the result of ALDC preferences.

Exhibit 287 shows the admit rate for previous admits (by race) if ALDC preferences are removed. This calculation follows directly from Bayes' rule. Denote $y = 1$ if an applicant was admitted when a preference was in place. Denote $y' = 1$ as an indicator for whether an applicant would be admitted when the preference is removed. The probability an applicant would still be admitted after the preference is removed can be written as:

$$\Pr(y' = 1 \,|\, y = 1) = \frac{\Pr(y = 1 \,|\, y' = 1)\Pr(y' = 1)}{\Pr(y = 1)}. \tag{1}$$

The first term in the numerator is, by definition, 1: if a preferred applicant was admitted without a preference, the applicant will also be admitted when a preference is in place. The two remaining terms are the model-predicted probabilities without and with the preference.

The bottom part of Table 4 shows the results of this exercise. Removing ALDC preferences would result in an admit rate of 68% for white applicants previously admitted when ALDC preferences were in place. Note that, by definition, this drop occurs solely for those

in the ALDC category. For whites, the share of applicants who are ALDC is 8%. With the drop in the admit rate occurring only for this group, the share of white ALDC admits who would be admitted if they were instead treated as typical white applicants would be 26%.

Table 4 also shows what this implies for the overall admit rate of ALDC applicants. The admit rate for all white ALDC applicants would fall from 43.6% to 11.4%, a drop of over 30 percentage points. We can go one step further and generate an upper bound on the overall LDC admit rate for white applicants when ALDC preferences are eliminated. If we assume that all of the athletes are rejected when ALDC preferences are eliminated, it would imply that the white LDC admit rate would fall from 33.4% to less than 14%. Thus, the average marginal effect of being an LDC on admissions for white applicants is at least 19.4%.

5 Counterfactual Simulations

While the transformation approach and the exercises utilizing Bayes' rule highlight the importance of ALDC preferences, neither methodology accounts for capacity constraints. If ALDC preferences were eliminated, the likelihood of ALDC applicants being admitted would decline, and, with no other change, the class size at Harvard would shrink. However, using the admissions model we can correct for these capacity constraints.[37] In this section, we describe our approach and investigate how the racial distribution of the admitted class would change if these preferences were removed. In describing the methodology, we focus on legacy preferences for ease of exposition.

5.1 Methodology

Using our estimated model, we calculate an admissions index for each applicant sans legacy preferences. We construct the index by setting the legacy coefficients to zero, but keeping all other coefficients the same, including the coefficients on race.[38] This rules out Harvard

[37] Document 415-9 shows this for legacy preferences and athlete preferences separately, as well as the combination of removing legacy, athlete, and racial preferences.

[38] In order for the estimated model to match the racial distribution of the admitted class in every admission cycle, we add race-by-year interactions. The race-by-year coefficients will ensure that the estimated model perfectly matches the actual number of admits in each racial group in every year.

changing the weights on correlates of legacy status to undo the removal of legacy preferences.[39] We then use these adjusted admissions indices to construct counterfactual admit classes that match the actual number of Harvard admits every year.

One approach would be to rank applicants according to their adjusted admissions index, and then select the highest ranked applicants such that the number of admits matches the observed data in every cycle. However, this would treat admissions decisions as if they were a deterministic function of the index, which is incompatible with the logit model assumptions and with how Harvard evaluates applications.[40] Instead, we further adjust the admissions index of all applicants by a constant such that the average admission probability without legacy preferences matches the average admission probability with legacy preferences. Numerically, we solve for an index adjustment ϕ_t^* in each admissions cycle t, such that

$$\overline{p}_t = \frac{1}{N_t} \sum_{i=1}^{N_t} \frac{\exp(X_i \hat{\beta}_{NL} + \phi_t^*)}{1 + \exp(X_i \hat{\beta}_{NL} + \phi_t^*)} \tag{2}$$

where $\overline{p}_t$ is the actual average probability of admission in admission cycle t, N_t is the size of the relevant applicant pool in cycle t, X_i reflects the characteristics of applicant i, and $\hat{\beta}_{NL}$ are the estimated coefficients on these characteristics with the coefficients on legacy and all legacy interactions set to zero. Finding the ϕ_t^* that solves this equation guarantees that when we aggregate the individual admission probabilities under the assumption of no legacy preferences, we maintain the exact number of admits each year. The composition of the class will change, however, since different racial groups will experience heterogeneous changes to their admission probabilities.[41]

Even though recruited athletes are not part of our preferred model, we can still use the preferred model to evaluate the removal of athlete or legacy preferences. In the case of removing legacy preferences, we simply treat the decisions for athletes as fixed. In the

[39] We view this as a reasonable starting point for understanding how the elimination of legacy preferences impacts the composition of the admitted class. Of course Harvard could alter the weight on other applicant attributes (including race) or even invent a new internal rating to continue to favor legacy applicants. As an example, Antonovics and Backes (2014) find that UC campuses changed the weight given to SAT scores, high school GPA, and family background in response to California's ban on race-based affirmative action.

[40] Put differently, the admissions index summarizes one's admissions likelihood based on observable characteristics, but we know that unobservable factors also influence the admissions outcome.

[41] We do not model the equilibrium impact on the application margin since our data only includes applicants to Harvard. We also do not model matriculation.

case of removing athlete preferences, we treat recruited athletes like any other applicant and calculate a predicted admission probability from the model.[42]

5.2 Counterfactual Results

The results of this exercise split out by applicant race are displayed in Table 5. The first row for each racial group shows the model-generated number of admits aggregated across the six years. The model predictions match the racial composition of admits in the data, since the estimated admissions model includes race-by-year interactions. The second row illustrates how the number of admits changes when preferences for legacy applicants are eliminated. The only group of applicants that experiences a decline in the number of admits is white applicants. The number of white admits falls by approximately 4%, while the number of African American, Hispanic, and Asian American admits respectively increase by 4%, 5%, and 4%. The third row illustrates how the racial composition of the class changes when athlete preferences are eliminated. In this case, the number of white admits declines by 6%, while the number of Hispanic and Asian American admits rises by 7% and 9%, respectively. African American admits are essentially unchanged.

To be clear, this does not imply that all whites are hurt by the removal of legacy and athlete preferences, nor do all Asian Americans benefit. The aggregate changes in white enrollments mask within-race shifts away from legacy and athlete admits.

The last row in Table 5 shows what would happen if in addition to removing legacy and athlete preferences, we also removed racial preferences. In this case, the coefficients on legacy, athlete, and race/ethnicity are set to zero as well as their interactions. The counterfactual shows that the number of admitted African Americans would be a third of what it was when all these preferences were in place. The number of admitted Hispanics would decline by almost half. Clearly the preferences African Americans and Hispanics receive do not simply offset the losses they incur from legacy and athlete preferences.

When only legacy or athlete preferences are eliminated, we estimate that the racial composition of Harvard's admitted class changes by a non-trivial amount. Yet, we believe these

[42] When we eliminate athlete preferences, we change both the athletic and extracurricular ratings to 2 for recruited athletes. See page 9 of Appendix A in Document 415-9 for additional details.

numbers likely understate the true impact of eliminating legacy and athlete preferences on the racial composition of the admitted class. First, while we are able to report counterfactuals for the elimination of legacy or athlete preferences, we cannot report what would happen if both preferences were eliminated (holding fixed racial preferences). Moreover, we cannot run the counterfactual when all ALDC preferences are eliminated. We suspect that if we were able to run these counterfactuals, the share of white admits would drop by significantly more than 6% and the share of Asian American admits would rise by more than 9%.

Second, when we estimate our admissions model, we include LDC applicants as part of the estimation sample. However, the way characteristics for LDC applicants matter for admissions may be different than how those same characteristics matter for typical applicants. As described earlier, *no* white, Hispanic, or Asian American typical applicants in the bottom decile of academic preparation are admitted, while 6.35% of LDC applicants in the bottom decile of academic preparation were admitted.

This phenomenon is illustrated in Table 6, where we show how the coefficients on the academic and extracurricular ratings change when athletes and then LDC applicants are excluded from the model.[43] The boost an applicant receives from obtaining an academic rating of 1 relative to an academic rating of 3 is higher in a model with only typical applicants as compared to a model that also includes LDC applicants. The importance of an academic rating of 1 declines even further if athletes are included. The change in the coefficients is even more dramatic at the bottom of the academic rating. The penalty for receiving a 4 on the academic rating is much smaller in a model with LDC applicants included than when estimated only on typical applicants and becomes smaller still if recruited athletes are included. Similar patterns hold for the extracurricular rating, with the coefficients becoming attenuated when LDC applicants and recruited athletes are included.[44]

In our counterfactuals, we avoided the athlete-generated coefficient distortions by excluding them from the admissions model. We were still able to evaluate the impact of removing

[43]The source for this table is Table 2 of Exhibit 287.

[44]As mentioned by Norton and Dowd (2018), it is not possible to make direct comparisons of logit coefficients across specifications or subsamples, because the coefficients depend on the variance of unobservables. When we account for this property of logit models by dividing each coefficient by the Academic Rating=1 coefficient, the results in Table 6 are nearly identical. This is because the variance of unobservables is not sensitive to the inclusion of LDCs or athletes in a model as rich as ours.

athlete preferences by treating their admissions decisions as fixed except when we eliminate athlete preferences, in which case we used their characteristics and the coefficients of the model to predict their admission probabilities. Ideally, we would have pursued a similar strategy for the LDC groups. We suspect that the changes in the racial composition would have been even more stark in this case.

6 Conclusion

Detailed data on how universities practice holistic admissions are virtually never made available to researchers. Through the SFFA lawsuit, unprecedented access was given to how Harvard rates their applicants as well as how applicant characteristics, including these ratings, translate into admissions. This paper has focused on the substantial preferences ALDC applicants to Harvard receive. The advantages for athletes are especially large, with an average admit rate for recruited athletes of 86%. This high admit rate occurs despite admitted athletes often being worse on Harvard's ratings than the applicant pool itself. Overall, our results show that only one-quarter of white ALDC admits would have been admitted if they had been treated as a typical applicant.

Each of the ALDC preferences primarily benefit white students. Over 43% of white admits are ALDC, compared to less than 16% of admits for each of the other three major racial/ethnic groups. Indeed, due in part to the nature of the sports that Harvard offers, recruited athletes alone make up over 16% of white admits. We show that removing legacy and athlete preferences shifts admissions away from white applicants with other racial groups either increasing or staying the same. Also, since ALDC applicants tend to come from privileged backgrounds, it is likely that fewer high-income applicants would be admitted.

Harvard—and other institutions that use holistic admissions criteria—may benefit from employing ALDC preferences, both through donations and enhanced amenities for its student body. But given that the beneficiaries of these practices come from quite advantaged backgrounds, and the further evidence that these preferences appear to be increasing over time (Arcidiacono, Kinsler, and Ransom, 2019), exposing the scope of these practices may lead them to be reevaluated.

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Figures and Tables

Table 1: Admissions Statistics by Race and ALDC Status

	Typical	Athlete	Legacy	Dean's List	Faculty/Staff
Panel A: Admission Rates					
White	4.89	87.94	34.07	41.96	45.78
African American	7.58	86.11	28.57	32.53	20.00
Hispanic	6.16	88.52	35.63	41.79	42.11
Asian American	5.13	87.07	35.14	47.83	47.56
Panel B: Racial Distribution of Applicants by ALDC Status					
White	40.34	69.28	68.66	68.29	53.21
African American	10.97	10.74	5.28	3.58	3.21
Hispanic	12.59	4.55	5.65	5.77	6.09
Asian American	28.32	8.65	10.54	11.89	26.28
Panel C: Racial Distribution of Admits by ALDC Status					
White	36.15	69.30	69.17	67.17	52.41
African American	15.25	10.52	4.46	2.73	1.38
Hispanic	14.22	4.58	5.95	5.66	5.52
Asian American	26.62	8.57	10.95	13.33	26.90
Panel D: Proportion of Total Admits by Race					
White	56.36	16.36	20.49	13.32	1.52
African American	85.27	8.91	4.74	1.94	0.14
Hispanic	86.28	4.21	6.86	4.36	0.62
Asian American	84.81	4.13	6.63	5.40	1.60

Notes: All numbers in this table are percentages. Panels B and C should be read vertically, while Panel D should be read horizontally. The columns in Panels B and C add to less than 100% since there are other racial groups not shown. The rows in Panel D sum to more than 100% because some ALDC admits are in more than one category.
Source: Authors' calculations from data presented in Tables B.3.1R and B.3.2R of Document 415-9. See Appendix B.2.1 for a complete discussion of the calculations.

Table 2: Shares (%) of Applicants and Admits Receiving a 2 or Higher on Harvard Ratings

	Applicants		Admits		
	Typical	LDC	Typical	LDC	Athlete
Panel A: Overall Rating					
White	4.43	21.60	59.70	57.27	(27.05 , 30.35)
African American	5.29	19.66	59.14	62.96	(12.90 , 19.35)
Hispanic	3.88	18.47	50.14	50.00	(14.81 , 33.33)
Asian American	4.84	25.58	62.36	62.22	(23.76 , 39.60)
Panel B: Academic Rating					
White	45.29	54.43	88.77	78.34	(24.60 , 27.91)
African American	9.19	15.25	59.39	43.21	(0.00 , 6.45)
Hispanic	16.74	41.19	65.40	70.49	(11.11 , 29.63)
Asian American	60.21	63.27	94.40	85.56	(41.58 , 57.43)
Panel C: Extracurricular Rating					
White	24.35	36.22	73.03	55.80	(8.32 , 11.63)
African American	15.54	30.85	51.98	55.56	(6.45 , 12.90)
Hispanic	16.83	31.53	56.64	50.00	(0.00 , 16.67)
Asian American	28.23	37.83	78.28	60.37	(0.00 , 11.88)
Panel D: Personal Rating					
White	21.27	40.88	83.76	70.19	(46.76 , 50.06)
African American	19.01	40.68	74.39	80.25	(62.90 , 69.35)
Hispanic	18.68	38.92	77.87	63.93	(51.85 , 70.37)
Asian American	17.64	35.49	73.26	60.37	(28.71 , 44.55)
Panel E: Athletic Rating					
White	12.79	21.89	20.97	27.90	100
African American	6.82	15.93	14.24	28.40	100
Hispanic	7.51	18.18	15.27	23.77	100
Asian American	4.81	14.86	7.19	18.15	100

Notes: Numbers for athlete admits can only be bounded. See footnote 15 in the text. *Source:* Authors' calculations for typical and LDC applicants and admits from data presented in Trial Exhibit P621 and Trial Exhibit P623. See Appendix B.2.2 for a complete discussion of the calculations. Authors' calculations for athletes from the following sources: Trial Exhibit P623; Tables 4.2, B.3.2, B.4.1, and B.5.1–B.5.6 from Document 415-8; and Tables A.5R and B.5.1R–B.5.6R from Document 415-9. See Appendix B.2.2 for a complete discussion of the athlete calculations.

Table 3: Selected Coefficients, Admissions Model of LDC and Typical Applicants

	(1)	(2)	(3)	(4)	(5)	(6)
Legacy	1.238	1.650	1.697	1.720	2.141	2.329
	(0.046)	(0.051)	(0.059)	(0.123)	(0.155)	(0.164)
Double Legacy	0.511	0.372	0.377	0.337	0.689	0.738
	(0.090)	(0.101)	(0.101)	(0.106)	(0.130)	(0.135)
Faculty or Staff	1.260	1.410	1.692	1.875	2.472	2.630
	(0.139)	(0.159)	(0.310)	(0.319)	(0.359)	(0.353)
Dean's Interest	1.495	1.931	2.379	2.449	3.301	3.246
	(0.053)	(0.059)	(0.356)	(0.366)	(0.417)	(0.417)
African American	0.486	2.290	2.604	2.815	3.596	3.674
	(0.038)	(0.047)	(0.071)	(0.075)	(0.097)	(0.103)
Hispanic	0.393	1.190	1.271	1.338	1.908	1.959
	(0.037)	(0.042)	(0.061)	(0.064)	(0.081)	(0.086)
Asian American	0.047	-0.400	-0.529	-0.321	-0.389	-0.257
	(0.030)	(0.032)	(0.050)	(0.053)	(0.066)	(0.070)
Disadvantaged	1.172	1.243	1.494	1.616	1.640	1.527
	(0.041)	(0.047)	(0.070)	(0.106)	(0.132)	(0.139)
Legacy × African American			-0.725	-0.716	-0.792	-0.872
			(0.214)	(0.223)	(0.281)	(0.297)
Legacy × Hispanic			-0.536	-0.672	-0.779	-0.736
			(0.183)	(0.192)	(0.235)	(0.240)
Legacy × Asian American			0.398	0.331	0.626	0.612
			(0.142)	(0.150)	(0.187)	(0.195)
Other Special × African American			-0.882	-0.788	-1.261	-1.267
			(0.349)	(0.364)	(0.485)	(0.529)
Other Special × Hispanic			-0.729	-0.692	-1.343	-1.328
			(0.230)	(0.243)	(0.287)	(0.295)
Other Special × Asian American			0.377	0.491	0.515	0.471
			(0.160)	(0.175)	(0.208)	(0.219)
Disadvantaged × African American			-1.023	-1.121	-1.582	-1.565
			(0.104)	(0.108)	(0.135)	(0.142)
Disadvantaged × Hispanic			-0.278	-0.356	-0.618	-0.616
			(0.096)	(0.102)	(0.127)	(0.133)
Disadvantaged × Asian American			0.020	0.023	0.159	0.162
			(0.090)	(0.093)	(0.115)	(0.121)
N	148,769	148,741	148,741	141,701	134,365	134,349
Pseudo R^2	0.136	0.294	0.297	0.318	0.555	0.599
Demographics	Y	Y	Y	Y	Y	Y
Academics	N	Y	Y	Y	Y	Y
Race and Gender Interactions	N	N	Y	Y	Y	Y
HS and NBHD Variables	N	N	N	Y	Y	Y
Ratings (excluding Personal)	N	N	N	N	Y	Y
Personal Rating	N	N	N	N	N	Y

Source: Data presented in Table B.7.2R of Document 415-9. All models include year indicators and year indicators interactions.

Table 4: ALDC Admit Rates (%) when Preferences are Removed

	White	African American	Hispanic	Asian American
Total Admits	4,993	1,392	1,283	2,443
LDC Admits	1,362	81	122	270
Athlete Admits	817	124	54	101
Total Applicants	62,586	16,103	18,383	41,258
LDC Applicants	4,075	295	352	727
Athlete Applicants	929	144	61	116
Typical Admit Rate	4.89	7.58	6.16	5.13
ALDC Admit Rate	43.55	46.70	42.62	44.01
LDC Admit Rate	33.42	27.46	34.66	37.14
Remove ALDC Preferences				
Admit Rate for Previous Admits	67.78	91.64	93.52	89.52
Admit Rate for Previous ALDC Admits	26.17	43.23	52.76	30.99
ALDC Admit Rate	11.40	20.19	22.48	13.64
LDC Admit Rate, Upper Bound	13.99	30.04	26.38	15.81

Source: Authors' calculations based on the following sources: Table 3 of Exhibit 287; Equation (1); Table B.3.2 from Document 415-8; and Tables B.3.1R and B.3.2R from Document 415-9. See Appendix B.2.3 for a complete discussion of the calculations.

Table 5: Total Admits by Race under Different Admissions Policies, Expanded Sample

	White	African American	Hispanic	Asian American
Model	4,802	1,367	1,365	2,358
No legacy preferences	4,598	1,423	1,428	2,458
No athlete preferences	4,499	1,366	1,462	2,569
No race/legacy/athlete	4,947	428	792	3,564

Source: Data presented in Panel 2 of Table 8.2R of Document 415-9.

Table 6: Inclusion of ALDC Applicants Distorts Effect of Other Admissions Criteria

	Baseline Coefficients	Expanded Coefficients	Expanded plus Athletes	% Increase over Expanded	% Increase over Expanded plus Athletes
Academic Rating=4	-3.990	-2.426	-1.184	64.5%	237.1%
Academic Rating=2	1.425	1.206	1.209	18.2%	17.8%
Academic Rating=1	4.094	3.806	3.787	7.6%	8.1%
Extracurricular Rating=4	-1.301	-0.952	-0.171	36.7%	662.1%
Extracurricular Rating=2	1.990	1.689	1.646	17.8%	20.9%
Extracurricular Rating=1	4.232	3.795	3.726	11.5%	13.6%

Source: Data presented in Table 2 of Exhibit 287.

A Description of Legal Documents Used

We list in Appendix Table A1 all publicly released documents pertaining to the *SFFA v. Harvard* trial that we use in our analysis. A complete list of exhibits admitted into evidence during trial is available as Document 611.

Table A1: List of Legal Documents Used

Document	Description
Document 415-8	Plaintiff's expert witness opening report
Document 419-141	Defendant's expert witness opening report
Document 415-9	Plaintiff's expert witness rebuttal report
Document 419-143	Defendant's expert witness rebuttal report
Document 419-1	Deposition of Harvard Admissions Director Marlyn McGrath
Document 421-9	Deposition of Harvard Admissions Dean William Fitzsimmons
Exhibit 287	Declaration of plaintiff's expert witness
Day 3 Trial Transcript	Transcript of Day 3 of trial proceedings
Day 5 Trial Transcript	Transcript of Day 5 of trial proceedings
Day 6 Trial Transcript	Transcript of Day 6 of trial proceedings
Trial Exhibit DX 002	2012 Harvard admissions reader casebook
Trial Exhibit DX 005	2013–2014 Harvard alumni interviewer handbook
Trial Exhibit DX 024	2012 Harvard admissions reader casebook discussion guide
Trial Exhibit DX 706	Share of admitted students in ALDC categories
Trial Exhibit DX 730	Academic qualifications and profile ratings of transfer applicants
Trial Exhibit DX 746	Racial composition of admitted ALDC students
Trial Exhibit P001	Class of 2018 application reading procedures
Trial Exhibit P104	Email exchange discussing admission of donors' children
Trial Exhibit P106	Email exchange rating a donor as a "2"
Trial Exhibit P164	Class of 2018 one-pager
Trial Exhibit P316	Report of Harvard's Committee to Study Race-Neutral Alternatives
Trial Exhibit P555	Office for Civil Rights Report (1990)
Trial Exhibit P618	Admit rates for ALDC and typical applicants by academic rating
Trial Exhibit P619	List of applicants interviewed and admitted
Trial Exhibit P621	Ratings frequencies for baseline sample
Trial Exhibit P623	Ratings frequencies for expanded sample
Trial Exhibit P626	Number and share of applicants by academic index
Trial Exhibit P723	Class of 2023 application reading procedures

B Recovering Data from Public Sources

B.1 General Approach

As discussed in Section 2, the analysis presented in the current paper is based entirely on publicly available documents since we no longer have access to the underlying application data. This presents a number of challenges since the publicly released reports do not focus on ALDC applicants or admissions. As an example, none of the reports provide summaries of the application characteristics of ALDCs. We are able to overcome these limitations in a number of ways.

For LDC applicants (i.e. legacy, dean's interest list, and children of faculty and staff), we are able to provide detailed and precise analysis of their demographic characteristics, internal Harvard ratings, and academic preparation by exploiting the fact that Document 415-9 reports findings for two samples: one that includes LDC applicants (expanded) and one that excludes these special applicants (baseline). Using the contrast in characteristics and ratings between these two samples we are able to infer information about LDC applicants and admits.

Isolating the characteristics for recruited athletes is more challenging. In Document 415-9, athletes are excluded from both the baseline and expanded sample. However, in Document 415-8, recruited athletes are part of the expanded sample, along with LDC applicants. This suggests that a comparison between the expanded sample across the two reports would identify athlete attributes. However, there are other minor modifications to the expanded sample across the two reports that make direct comparisons impossible.[45] There are 150,701 applicants in the expanded sample in Document 415-8 including athletes, while there are only 148,769 applicants in the expanded sample in Document 415-9 excluding athletes. There are 1,343 recruited athlete applicants, which means that the expanded sample in Document 415-8 has 589 additional applicants that are non-athletes. Simply comparing attributes across the two expanded samples will confound the characteristics of recruited athletes with these additional 589 applicants. If we focus on describing admitted athletes, we can be more

[45] For example, a small group of applicants are dropped from the sample in Document 415-9 as a result of recoding some of the profile ratings as missing.

precise. Of the 589 non-athlete, extra applicants in Document 415-8, only 64 are admitted.[46] Among the 1,343 recruited athlete applicants, 1,179 are admitted. As a result, if we compare the characteristics of admitted applicants in the expanded sample across the two reports, 95% of the gap is related to recruited athletes.

Our descriptive analysis of athletes follows the strategy outlined above, where we infer recruited athlete attributes by taking the difference across the expanded sample in Document 415-8 and Document 415-9. We account for the presence of non-athletes in this comparison by providing upper and lower bounds for athlete attributes. These bounds are generated by assuming that the non-athlete applicants and admits all have a particular feature or all fail to have a particular feature.

In addition to descriptives for ALDC applicants, we are also interested in understanding the advantages that ALDC applicants receive in the admission process and how the admitted class would change if these preferences were removed. Because we do not have access to the underlying application data, here we must rely on the admissions models and coefficients presented in Document 415-8 and Document 415-9, along with additional calculations contained in Exhibit 287 (Plaintiff declaration).

B.2 Table Details

In this section, we provide the exact steps we take to construct each of the main tables.

B.2.1 Table 1

Table 1 is constructed using information from Tables B.3.1R and B.3.2R in Document 415-9 and Table B.3.2 in Document 415-8.

The racial distribution of typical applicants and admits (Panels B and C) can be determined using Table B.3.1R since we know the total number of applicants and admits by race. The racial distribution of athlete applicants and admits is based on Table B.3.2. We use the share of applicants and admits that are athletes, by race, to calculate the number of athlete

[46] None of these 64 admits are recruited athletes as the total number of admitted recruited athletes from Document 415-8 Table B.3.2 matches the number of admitted recruited athletes in Document 415-9 Table A.5R.

applicants and admits by race and then divide by the total number of athlete admits. To avoid rounding issues here, we confirm our numbers for admits with Trial Exhibit DX 746, although we cannot do this for Hispanics because they are combined with other race groups in the exhibit. The racial distribution of LDC applicants and admits is determined using Table B.3.2R. We use the total number of applicants and admits by race along with the share of applicants and admits that are legacies, dean's interest, and child of faculty/staff by race to calculate the number in each group and then divide by the total number in each group. When constructing values for children of faculty or staff, we simply add the two groups together. We know there is essentially no overlap between the groups since the number of admitted faculty children and staff children constructed from Table B.3.2R matches the total number of combined faculty/staff admits in Trial Exhibit DX 746.

Admit rates by race for typical applicants come directly from Table B.3.1R. We use Table B.3.2 to calculate admit rates for athletes by race. This is based on the total number of admits and applicants along with the share of admits and applicants that are athletes by racial group. We perform a similar calculation for LDC applicants using Table B.3.2R, where again we simply add the children of faculty and staff together.

Finally, to calculate the proportion of admits that belong to each of the applicant groups by race, we exploit information already accumulated. The total number of admits for each race is given by the totals at the bottom of Table B.3.2R, plus the number of admitted athletes for each race as determined by Table B.3.2. Then, we simply calculate the share of total admits for each race that fall into each applicant group.

B.2.2 Table 2

Table 2 is constructed using Trial Exhibits P621 and P623 along with Tables B.3.1R and B.3.2R from Document 415-9. Trial exhibits P621 and P623 provide the raw counts of the number of admits, rejects, and total applicants within each rating bin for all of Harvard's internal ratings. P621 includes only typical applicants, while P623 includes typical and LDC applicants. Thus, taking the differences between the raw counts across trial exhibits tells us the number of LDC admits, rejects, and applicants within each rating bin. When constructing the share of LDC applicants receiving higher than a 3+, we use as the denominator the

total number of LDC admits, rejects, and applicants, which we know from Tables B.3.1R and B.3.2R. The corresponding numbers for typical applicants can be constructed using P621 and Table B.3.1R.

The athlete part of the table is constructed using Trial Exhibit P623, Tables 4.2, B.3.2, B.4.1, and B.5.1–B.5.6 from Document 415-8, and Tables A.5R and B.5.1R–B.5.6R from Document 415-9.

The challenge in constructing ratings for athletes is that these numbers are never directly reported in any publicly released document, and unlike for LDC applicants, there are no two samples we can directly compare that will describe only athletes. The closest we come is to compare the ratings distribution for the expanded sample in Document 415-8 with the ratings distribution for expanded sample in Document 415-9 since the former includes athletes while the latter does not. However, differences in ratings between these two samples does not identify only athletes as there are additional sample changes to account for.

Relative to the rebuttal expanded sample in Document 415-9, the original expanded sample in Document 415-8 contains athletes and additional applicants with missing profile ratings. There are respectively 1,343 and 1,179 athlete applicants and admits in the original expanded sample (verified from Table B.3.2) that are excluded from the rebuttal expanded sample (verified in Table A.5R). In addition, the original expanded sample includes 64 admits and 589 applicants that are not athletes and not included in the rebuttal expanded sample (Add the athlete numbers to the expanded sample totals in Table B.3.2R and examine the difference between these and the expanded sample totals in Table B.3.2). We can then use the change in the number of admits and applicants receiving each Harvard rating across reports to determine the rating distribution for the composite group of athletes and applicants missing ratings.

There is one additional complication to the above procedure. While we know precisely the number of admits and applicants in each rating group for the rebuttal expanded sample (see Trial Exhibit P623), we do not know the corresponding numbers for the original expanded sample. Table B.4.1 provides the shares in each rating group for the original expanded sample, but for some of the ratings we exclude missing ratings when calculating the share (we do the same thing in Table B.4.1R in the rebuttal, but because we have P623 we can

overcome this). Thus, we cannot directly calculate the number of individuals in each bin since we do not know the precise denominator. We overcome this with a multi-step process.

First, the academic index decile tables (B.5.1-B.5.6 and B.5.1R and B.5.6R) provide information on the share of applicants receiving a 2 or higher on each rating, including the missing. If this share represented all of the applicants, we could use this number to infer for each rating how many applicants are excluded because they lack a valid rating. There is one small correction that needs to be made first, which is that the decile analysis excludes individuals whose GPAs appear incorrect. However, because P623 tells us the actual number receiving a 2 or higher in the rebuttal expanded sample, we can determine how many of the excluded GPA group have a 2 or higher. Because the number of missing GPA individuals is essentially identical across the original and expanded samples (compare the totals in Tables B.5.1 and B.3.2 with the totals in Tables B.5.1R and B.3.2R), we also know the distribution of 2 or higher ratings for missing GPA applicants in the original expanded sample. In other words, none of the missing GPA applicants are athletes or missing ratings such that they are eliminated in the rebuttal expanded sample. Using the fact that we know the number of invalid GPA excluded from the decile analysis and the share of these that receive a 2 or higher for each rating, we can calculate the share of applicants receiving a 2 or higher on each rating, including the missing for the original expanded sample.

With this knowledge we can directly calculate the total number of applicants with an invalid rating that are excluded from the calculations in Table B.4.1 and 4.2 focused on all applicants. Note that Table 4.2 includes the overall rating for the expanded sample in the original report. However, we still do not know the number of invalid ratings that are rejects and admits. Appendix B.3 provides the formulas for calculating these values using knowledge of the total number of missing, along with share of admits receiving a 2 or higher excluding the invalid ratings.

Once we know the total number of applicants and admits with invalid ratings for each category, we can determine the total number of individuals receiving a 2 or higher on each rating for the expanded sample in the original report. Note that for the Overall, Academic, Personal, and Extracurricular ratings, we do not adjust for missing since the share receiving a 2 or higher from the decile tables (Tables B.5.3-B.5.6) matches almost exactly the shares

reported in Table B.4.1. This indicates that there are no applicants with invalid ratings, which is consistent with the sample selection criteria described in Table A.5.

The above procedure essentially allows us to create an analog to Trial Exhibit P623 for the expanded sample in the original report. We can then easily determine the number of athletes and missing rating applicants and admits with a 2 or higher for each rating by taking the difference in the totals across the two samples. Once we have this number we proceed to generate lower and upper bounds for the share of athlete applicants and admits receiving a 2 or higher by either assuming all of the missing rating applicants and admits received a 2 or higher, or that none of them received a 2 or higher. For typical applicants and admits, the numbers come from Table 6.

B.2.3 Table 4

Table 4 is constructed using the "Full Sample" panel of Table 3 of Exhibit 287, Table B.3.2 of Document 415-8, and Tables B.3.1R and B.3.2R of Document 415-9. The top half of the table is constructed using information from the tables in the reports to construct total admits, LDC admits, athlete admits, and the corresponding application numbers. Exhibit 287 provides information on the admit rate for previous admits when ALDC preferences are removed. Using this number, along with the top of the table, we can construct the remaining numbers.

B.2.4 Table 5

The numbers in Table 5 are drawn directly from Table 8.2R in Document 415-9. They are in the second panel for the preferred model.

B.2.5 Table 6

Table 6 is a replica of Table 2 from Exhibit 287.

B.3 Missing Observations in the Ratings Analysis

We assume that, from the decile analysis, we see $\overline{X}$, the fraction who received a 2 or better for some X, and the corresponding number of observations, N. However, in the ratings analysis, there are some applicants who may be missing a rating, N_m, and this number is unobserved. We know that this rating will be classified as worse than a 2 in the decile analysis. The ratings analysis gives $\overline{X}^*$. The relationship between $\overline{X}$ and $\overline{X}^*$ is given by:

$$\overline{X} = \overline{X}^* \frac{(N - N_m)}{N} \tag{B.1}$$

Solving for N_m yields:

$$N_m = N - \frac{N\overline{X}}{\overline{X}^*} \tag{B.2}$$

We now want to solve for the share of the N_m that have been admitted versus rejected. Let ω^R give the fraction of N_m that rejected. We observe $\overline{X}^{*R}$ and $\overline{X}^{*A}$, the share receiving a 2 or higher among rejects and admits when those missing the rating are excluded.

We then use the following relationships to recover ω^R, $\overline{X}^A$, and $\overline{X}^R$:

$$\overline{X}^A = \overline{X}^{*A} \frac{(N^A - (1 - \omega^R)N_m)}{N^A} \tag{B.3}$$

$$\overline{X}^R = \overline{X}^{*R} \frac{(N^R - \omega^R N_m)}{N^R} \tag{B.4}$$

$$\overline{X}^* = \frac{(N^A - (1 - \omega^R)N_m)\overline{X}^{*A} + (N^R - \omega^R N_m)\overline{X}^{*R}}{N - N_m} \tag{B.5}$$

One we have these for both the baseline and expanded samples, we can partition out the ratings for ALDCs where missing ratings are present.

Using the third equation, we can solve for ω^R:

$$\omega^R = \frac{\overline{X}^*(N - N_m) - (N^A - N_m)\overline{X}^{*A} - N^R\overline{X}^{*R}}{N_m(\overline{X}^{*A} - \overline{X}^{*R})} \tag{B.6}$$

C Modeling choices

In this section, we discuss our basic approach to modeling Harvard admissions. The admissions data made available to us as part of the SFFA lawsuit cover six admissions cycles and include hundreds of variables describing each applicant. It is not feasible to include every variable in every year, as we would ultimately have as many regressors as admits. In the paragraphs to follow we briefly discuss some of the key modeling decisions we make that allow us to capture admissions decisions in a simple, yet accurate manner.

The first decision we face is whether to pool the data and estimate a joint admissions model with indicators for admissions cycle, or estimate separate admissions models for each cycle. Our preferred approach is to utilize a pooled model. The advantage of pooling the data is greater statistical power for uncovering some of the intricate patterns in admissions choices that are time-invariant. The drawback of the pooled model is that the threshold for admission may change across cycles. If the pool of applicants is simply becoming more competitive over time, meaning that the baseline admit probability is declining, allowing for admission cycle indicators will capture this. However, there may be some applicant characteristics that Harvard seeks to balance within each admissions cycle. As an example, Harvard might target an admitted class where 20% of the students are humanities majors. This would mean that the probability of being accepted as an intended humanity major will vary with the number of other intended humanity major applicants in a given cycle. A pooled admissions model can capture this heterogeneity by including interactions between intended major and indicators for admission cycle. In an admission cycle where there are many intended humanities majors, the interaction coefficient will be negative relative to the baseline humanity effect.

While the admissions impact of certain characteristics is likely to change over time, most applicant characteristics are likely to be valued similarly across admissions cycles. For example, there is little reason to expect that Harvard would value an academic or personal rating of 1 differently from year to year. When employing a pooled model, the question is a matter of knowing which applicant characteristics are likely to have time-varying impacts. Fortunately, during the weeks and months that Harvard is making final admissions decisions,

the admissions office publishes statistics about the makeup of the current admitted class, as well as how these numbers compare to previous classes. Admissions officers can use these "one-pagers" to generate similarly constituted admit classes over time, even if the applicant pool is changing. We use these "one-pagers" as guidance and include in our pooled regression interactions of admissions cycle with applicant characteristics included in the "one-pagers" such as gender, docket, intended major, and disadvantaged status.

The second critical decision when modeling Harvard admissions decisions is which applicant characteristics to include in the model. Our approach in this dimension is to first include variables that Harvard readily admits influence admissions decisions, such as the various internal Harvard ratings, race, and disadvantaged status. Choosing among the potentially hundreds of other variables such as test scores, high school GPA, intended major, and high school and neighborhood characteristics is more challenging. The basic rubric we apply is as follows. First, to be included a variable must be reasonably related to the admissions decision and have no other variable already in the model that captures the same dimension of the applicant. Second, the variable itself cannot be contaminated by other preferences we are seeking to measure. For example, if an applicant's overall rating is influenced by the ALDC status of the applicant, then it is inappropriate to include the overall rating when investigating the impact of ALDC status on admissions. Third, the variable should display consistent patterns over time, an indication that it is a reliable measure. Finally, the variable must be available every admissions cycle, otherwise we cannot include it in our pooled model.

Employing the above criteria results in more than 350 variables being identified as relevant controls in a model of admissions. Yet, there are a few variables we omit from our preferred specification that are worth discussing. Parental occupation and intended career are two variables we exclude from our model. First, both variables have analogs that we include in the model. Parental occupation is essentially a proxy for socioeconomic status, a variable we measure with controls such as disadvantaged status, first generation indicator, and application fee waiver indicator. Intended career is closely tied to intended major. Moreover, both parental occupation and intended career exhibit wild swings across admissions cycles, indicating that they are not consistently measured and thus unreliable. Another vari-

able we exclude from our preferred admissions model is whether the applicant received a staff interview. As illustrated in Trial Exhibit P619, ALDC applicants receive staff interviews at a vastly higher rate that typical applicants. Thus, a measure of whether an applicant simply receives a staff interview is inappropriate to include in a model aimed at estimating preferences for ALDC applicants. The staff interview indicator itself embeds preferences for ALDC applicants. Finally, Harvard's personal rating is a subjective measure of an applicant's leadership skills and courage. This is a highly contentious variable, since there is ample evidence that the personal rating is heavily influenced by preferences for ALDCs and particular racial groups. As a result, we estimate admissions models with and without this variable.

The final modeling choice we make is which variables to interact in the admission probability. Conditional on the set of variables identified above, there are potentially thousands of interactions one could generate. Our approach to this issue is driven by knowledge of the college admissions process and past research. For example, previous research finds that the admissions tip associated with being a disadvantaged applicant is different for applicants of different races (Arcidiacono, 2005). As a result, we include interactions between race and disadvantaged. Similarly, racial preferences for applicants are likely to vary according to ALDC status, and thus we include these interactions in the model. The list below describes the full set of variables we include in each of our admissions models. This list comes from Figure 7.1 of Document 415-8, with additional information reported in Section 8.1 of Document 415-9.

- Model 1: Race/ethnicity, female, disadvantaged, application waiver, applied for financial aid, first generation college student, mother's education indicators, father's education indicators, year effects, docket-by-year effects, early decision, athlete, legacy, double legacy, faculty or staff child, Dean Director's list, intended major

- Model 2: Model 1 plus SAT math,* SAT verbal,* SAT2 average,* missing SAT2 average times race/ethnicity, converted GPA,* academic index,* academic index squared times academic index greater than zero, academic index squared times academic index less than zero, flag for converted GPA=35 (* indicates variable was z-scored)

- Model 3: Model 2 plus female times intended major, female times race/ethnicity, race/ethnicity times disadvantaged, race times early decision, race times legacy, and

race interacted with an indicator for dean/director's list and/or faculty/staff child

- Model 4: Model 3 plus College Board variables on the characteristics of applicant high schools and home neighborhoods (many are interacted with an indicator for whether the state is an SAT majority state), whether the mother or father is deceased, whether a parent attended an Ivy League university (other than Harvard), whether a parent attended graduate school at Harvard, the type of high school the applicant attended, an indicator for rural, an indicator for being a permanent resident, and year interacted with indicators for disadvantaged, first-generation, early decision, legacy, dean/director's list or faculty/staff, financial aid, permanent resident, intended major, flag for converted GPA=35, and missing SAT2 average

- Model 5: Model 4 plus indicators for each academic, extracurricular, teacher 1, teacher 2, counselor, alumni personal, and alumni overall ratings, interactions with missing alumni overall rating and race/ethnicity, indicators for whether the applicant had each possible combination of a two or better on Harvard's academic, extracurricular, and athletic profile ratings, indicators for whether the applicant had two or three 2's or better on their school support measures, and an indicator for whether the applicant had 2's or better on both of the alumni ratings

- Model 6: Model 5 plus indicators for each personal rating and indicators for whether the applicant had each possible combination of a two or better on Harvard's profile ratings related to the personal rating

D Supporting Tables

This section reports additional tables in support of the main tables discussed in the exposition.

Table D1: Applicant Ratings by Race and LDC Status

	White		African American		Hispanic		Asian American	
	Typical	LDC	Typical	LDC	Typical	LDC	Typical	LDC
Overall								
2 or better	4.43	21.60	5.29	19.66	3.88	18.47	4.84	25.58
3	71.39	69.25	42.28	48.47	55.05	69.32	74.44	64.24
4 or worse	24.18	9.15	52.44	31.86	41.07	12.22	20.72	10.18
Academic								
2 or better	45.29	54.43	9.19	15.25	16.74	41.19	60.21	63.27
3	44.83	40.42	40.06	51.19	47.81	47.73	31.80	31.64
4 or worse	9.88	5.15	50.75	33.56	35.44	11.08	7.99	5.09
Extracurricular								
2 or better	24.35	36.22	15.54	30.85	16.83	31.53	28.23	37.83
3	71.94	61.89	76.82	66.10	77.37	64.77	69.78	60.66
4 or worse	3.02	1.62	6.48	2.71	4.79	3.13	1.63	1.38
Athletic								
2 or better	12.79	21.89	6.82	15.93	7.51	18.18	4.81	14.86
3	52.98	52.34	49.28	54.58	48.67	53.41	47.74	52.41
4 or worse	31.65	23.93	39.33	27.12	40.13	24.43	45.35	31.22
Personal								
2 or better	21.27	40.88	19.01	40.68	18.68	38.92	17.64	35.49
3	78.30	58.85	80.52	58.64	80.85	60.51	81.88	64.24
4 or worse	0.43	0.27	0.47	0.68	0.48	0.57	0.48	0.28
Teacher 1								
2 or better	30.42	39.26	17.12	28.47	21.59	31.82	30.79	38.10
3	66.23	59.68	72.04	68.14	70.06	66.76	66.51	60.66
4 or worse	0.52	0.37	0.92	0.68	0.78	0.28	0.47	0.41
Teacher 2								
2 or better	27.13	36.47	14.80	23.05	18.84	32.67	27.41	37.69
3	54.77	51.83	55.01	57.97	55.36	57.67	57.40	52.68
4 or worse	0.37	0.27	0.50	1.02	0.57	0.00	0.41	0.00
Counselor								
2 or better	25.28	37.13	13.86	24.75	16.47	37.22	25.12	36.86
3	69.09	60.74	73.73	71.53	73.59	61.36	70.27	61.49
4 or worse	0.57	0.22	1.62	0.68	1.09	0.28	0.58	0.00
Alumni Personal								
2 or better	49.92	67.85	42.98	58.98	41.39	68.47	50.33	68.50
3	23.63	21.18	24.95	25.76	23.84	19.60	24.24	19.81
4 or worse	5.52	3.78	7.23	4.41	6.77	3.69	6.28	5.50
Alumni overall								
2 or better	36.49	55.34	20.84	37.97	23.61	52.27	40.89	55.98
3	28.02	28.29	24.93	32.54	24.66	29.26	26.38	26.27
4 or worse	13.70	8.66	27.28	17.29	22.06	9.66	12.69	10.59

Source: Authors' calculations from Tables B.3.1R and B.3.2R in Document 415-9 and data presented in Trial Exhibit P621 and Trial Exhibit P623. Numbers do not sum to one since we do not show the share with missing/invalid ratings. 2 or better includes 2−, 2, 2+, and all ratings with a leading 1. 3 includes 3−, 3, and 3+. 4 or worse includes 4−, 4, 4+, and all ratings with a leading 5.

Table D2: Admit Ratings by Race and LDC Status

	White		African American		Hispanic		Asian American	
	Typical	LDC	Typical	LDC	Typical	LDC	Typical	LDC
Overall								
2 or better	59.70	57.27	59.14	62.96	50.14	50.00	62.36	62.22
3	40.19	42.29	40.86	37.04	49.86	50.00	37.64	37.78
4 or worse	0.11	0.44	0.00	0.00	0.00	0.00	0.00	0.00
Academic								
2 or better	88.77	78.34	59.39	43.21	65.40	70.49	94.40	85.56
3	11.19	20.93	40.52	56.79	34.60	29.51	5.60	14.44
4 or worse	0.04	0.73	0.08	0.00	0.00	0.00	0.00	0.00
Extracurricular								
2 or better	73.03	55.80	51.98	55.56	56.64	50.00	78.28	60.37
3	26.15	43.76	47.18	43.21	42.10	48.36	21.53	39.26
4 or worse	0.11	0.37	0.25	1.23	0.09	1.64	0.00	0.00
Athletic								
2 or better	20.97	27.90	14.24	28.40	15.27	23.77	7.19	18.15
3	44.78	48.02	48.53	41.98	42.82	50.00	43.97	50.74
4 or worse	28.78	22.76	32.60	28.40	35.59	22.95	44.16	29.63
Personal								
2 or better	83.76	70.19	74.39	80.25	77.87	63.93	73.26	60.37
3	16.24	29.66	25.61	19.75	22.13	36.07	26.74	39.63
4 or worse	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00
Teacher 1								
2 or better	77.40	62.11	59.56	65.43	63.50	45.90	74.61	60.00
3	22.60	37.89	40.44	34.57	36.50	54.10	25.34	40.00
4 or worse	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Teacher 2								
2 or better	74.73	57.49	55.69	51.85	64.23	54.10	72.78	53.33
3	22.28	36.78	39.93	34.57	31.71	42.62	23.75	39.26
4 or worse	0.00	0.15	0.00	0.00	0.00	0.00	0.05	0.00
Counselor								
2 or better	76.01	61.97	57.88	58.02	58.36	60.66	73.17	63.33
3	23.03	37.08	41.45	40.74	40.11	39.34	26.11	35.93
4 or worse	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Alumni Personal								
2 or better	91.47	82.01	87.78	80.25	91.42	89.34	91.75	85.19
3	5.76	13.51	8.93	17.28	6.41	5.74	6.27	10.74
4 or worse	0.50	1.17	1.10	1.23	0.27	1.64	0.34	2.22
Alumni overall								
2 or better	86.57	73.94	73.46	62.96	80.13	80.33	90.35	79.26
3	10.20	20.19	21.82	30.86	16.08	15.57	7.43	14.81
4 or worse	0.82	2.28	2.19	4.94	1.81	0.82	0.43	3.70

Source: Authors' calculations from the following sources: Trial Exhibit P623; Tables 4.2, B.3.2, B.4.1, and B.5.1–B.5.6 from Document 415-8; and Tables A.5R and B.5.1R–B.5.6R from Document 415-9. See Appendix B.2.2 for a complete discussion of the calculations. 2 or better includes 2−, 2, 2+, and all ratings with a leading 1. 3 includes 3−, 3, and 3+. 4 or worse includes 4−, 4, 4+, and all ratings with a leading 5.

Table D3: Upper and Lower Bounds on the Share of Applicants and Admits Receiving a 2 or Higher on Various Ratings, by Athlete Status and Race

	White		African American		Hispanic		Asian American	
Rating	Typical	Recruited Athlete	Typical	Recruited Athlete	Typical	Recruited Athlete	Typical	Recruited Athlete
Panel A: Applicants								
Overall								
Lower bound	4.43	6.67	5.29	0.00	3.88	0.00	4.84	0.00
Upper bound		27.13		16.67		31.15		36.21
Academic								
Lower bound	45.29	9.90	9.19	0.00	16.74	0.00	60.21	0.00
Upper bound		30.36		6.94		31.15		77.59
Extracurricular								
Lower bound	24.35	0.00	15.54	0.00	16.83	0.00	28.23	0.00
Upper bound		14.10		23.61		50.82		27.59
Personal								
Lower bound	21.27	31.11	19.01	0.00	18.68	0.00	17.64	0.00
Upper bound		51.56		80.56		0.00		52.59
Teacher 1								
Lower bound	30.42	20.34	17.12	0.00	21.59	0.00	30.79	0.00
Upper bound		40.80		41.67		83.61		60.34
Teacher 2								
Lower bound	27.13	15.07	14.80	0.00	18.84	0.00	27.41	0.00
Upper bound		35.52		31.25		77.05		53.45
Counselor								
Lower bound	25.28	18.30	13.86	0.00	16.47	0.00	25.12	0.00
Upper bound		38.75		38.19		83.61		67.24
Alumni Personal								
Lower bound	49.92	28.20	42.98	0.00	41.39	0.00	50.33	0.00
Upper bound		48.65		79.86		0.00		84.48
Alumni Overall								
Lower bound	36.49	20.24	20.84	0.00	23.61	0.00	40.89	0.00
Upper bound		40.69		50.00		93.44		69.83
Panel B: Admits								
Overall								
Lower bound	59.70	27.05	59.14	12.90	50.14	14.81	62.36	23.76
Upper bound		30.35		19.35		33.33		39.60
Academic								
Lower bound	88.77	24.60	59.39	00.00	65.40	11.11	94.40	41.58
Upper bound		27.91		06.45		29.63		57.43
Extracurricular								
Lower bound	73.03	08.32	51.98	06.45	56.64	00.00	78.28	00.00
Upper bound		11.63		12.90		16.67		11.88
Personal								
Lower bound	83.76	46.76	74.39	62.90	77.87	51.85	73.26	28.71
Upper bound		50.06		69.35		70.37		44.55
Teacher 1								
Lower bound	77.40	33.29	59.56	23.39	63.50	29.63	74.61	20.79
Upper bound		36.60		29.84		48.15		36.63
Teacher 2								
Lower bound	74.73	29.62	55.69	17.74	64.23	25.93	72.78	24.75
Upper bound		32.93		24.19		44.44		40.59
Counselor								
Lower bound	76.01	32.56	57.88	26.61	58.36	25.93	73.17	26.73
Upper bound		35.86		33.06		44.44		42.57
Alumni Personal								
Lower bound	91.47	36.96	87.78	44.35	91.42	29.63	91.75	37.62
Upper bound		40.27		50.81		48.15		53.47
Alumni Overall								
Lower bound	86.57	33.90	73.46	36.29	80.13	37.04	90.35	31.68
Upper bound		37.21		42.74		55.56		47.52

Source: Authors' calculations from the following sources: Trial Exhibit P623; Tables 4.2, B.3.2, B.4.1, and B.5.1–B.5.6 from Document 415-8; and Tables A.5R and B.5.1R–B.5.6R from Document 415-9. See Appendix B.2.2 for a complete discussion of the calculations.

Table D4: Selected Coefficients, Admissions Model of ALDC and Typical Applicants

	(1)	(2)	(3)	(4)	(5)	(6)
Athlete	4.487	7.153	7.141	7.245	8.532	7.849
	(0.088)	(0.116)	(0.116)	(0.117)	(0.147)	(0.153)
Legacy	1.244	1.662	1.682	1.658	2.058	1.840
	(0.045)	(0.051)	(0.058)	(0.059)	(0.073)	(0.082)
Double Legacy	0.509	0.370	0.381	0.354	0.607	0.629
	(0.090)	(0.100)	(0.100)	(0.101)	(0.121)	(0.133)
Faculty or Staff Child	1.252	1.389	1.409	1.407	1.822	1.704
	(0.138)	(0.157)	(0.157)	(0.158)	(0.187)	(0.203)
Dean's Interest	1.499	1.941	1.913	1.873	2.307	2.322
	(0.053)	(0.059)	(0.059)	(0.059)	(0.072)	(0.077)
African American	0.420	2.163	2.533	2.622	3.333	2.659
	(0.038)	(0.046)	(0.070)	(0.071)	(0.091)	(0.104)
Hispanic	0.329	1.092	1.170	1.180	1.700	1.419
	(0.038)	(0.043)	(0.063)	(0.065)	(0.080)	(0.091)
Asian American	0.005	-0.438	-0.529	-0.457	-0.436	-0.271
	(0.029)	(0.032)	(0.049)	(0.050)	(0.062)	(0.071)
Female	-0.039	0.250	0.239	0.248	0.145	0.127
	(0.022)	(0.025)	(0.057)	(0.057)	(0.068)	(0.076)
Disadvantaged	1.154	1.224	1.482	1.472	1.364	1.083
	(0.040)	(0.046)	(0.069)	(0.069)	(0.085)	(0.093)
First Generation	0.006	0.170	0.156	0.136	0.074	0.023
	(0.050)	(0.056)	(0.056)	(0.057)	(0.069)	(0.077)
Early Decision	1.611	1.449	1.383	1.384	1.333	1.282
	(0.029)	(0.031)	(0.046)	(0.046)	(0.056)	(0.062)
N	150,701	150,633	150,633	150,587	149,425	144,189
Psuedo R^2	0.187	0.331	0.337	0.343	0.568	0.649
Demographics	Y	Y	Y	Y	Y	Y
Academics	N	Y	Y	Y	Y	Y
Race and Gender Interactions	N	N	Y	Y	Y	Y
HS and NBHD Variables	N	N	N	Y	Y	Y
Ratings (excluding Personal & Overall)	N	N	N	N	Y	Y
Personal & Overall Ratings	N	N	N	N	N	Y

Source: Data presented in Table B.7.2 of Document 415-8.

E Varsity Athletics at Harvard

Harvard fields 42 varsity teams, the most among the nation's NCAA Division I colleges and universities.[47] Nearly 1,200 Harvard undergraduates—or 20 percent of the student body—participate in intercollegiate athletics. In contrast, Stanford's student body (which has about 300 more undergraduates) has 300 fewer athletes: "The Department of Athletics offers 36 varsity sports—20 for women, 16 for men (sailing is a co-ed sport). ... Stanford offers over 350 athletic scholarships and approximately 900 students participate in intercollegiate sports."[48] Harvard has more student athletes than even Ohio State, which supports 1,038 student athletes in 30 different sports[49] with an undergraduate enrollment of nearly 46,000.

Appendix Table E1 contains a complete list of sports offered by Harvard and when Harvard began offering them.

[47] See also Document 419-1, p. 41.

[48] https://facts.stanford.edu/campuslife/athletics/, accessed March 29, 2019.

[49] https://www.collegefactual.com/colleges/ohio-state-university-main-campus/student-life/sports/, accessed April 4, 2019.

Table E1: List of varsity sports offered at Harvard

Academic Year of Inception	Team
1852-1853	Men's Heavyweight Crew
1865-1866	Baseball
1873-1874	Football
1876-1877	Men's Outdoor Track
1881-1882	Men's Lacrosse
1893-1894	Men's Fencing
1897-1898	Men's Ice Hockey
1900-1901	Men's Basketball
1902-1903	Men's Cross Country
1905-1906	Men's Soccer
1913-1914	Wrestling
1921-1922	Men's Lightweight Crew
1922-1923	Men's Indoor Track
1923-1924	Men's Golf
1924-1925	Men's Squash
1925-1926	Men's Tennis
1928-1929	Men's Sailing
1930-1931	Men's Swimming and Diving
1933-1934	Men's Skiing
1970-1971	Women's Heavyweight Crew
1973-1974	Women's Tennis
1974-1975	Women's Basketball
1974-1975	Field Hockey
1974-1975	Women's Lightweight Crew
1974-1975	Women's Outdoor Track and Field
1974-1975	Women's Swimming and Diving
1974-1975	Women's Squash
1975-1976	Women's Fencing
1975-1976	Women's Lacrosse
1976-1977	Women's Cross Country
1976-1977	Women's Sailing
1976-1977	Women's Skiing
1977-1978	Women's Indoor Track and Field
1977-1978	Women's Soccer
1978-1979	Women's Ice Hockey
1980-1981	Softball
1980-1981	Men's Volleyball
1980-1981	Men's Water Polo
1981-1982	Women's Volleyball
1983-1984	Women's Water Polo
1993-1994	Women's Golf
2013-2014	Women's Rugby

Source: https://www.gocrimson.com/information/history/Beginning_Years, accessed March 29, 2019.