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Tough fight shaping up on state college admission law

Senate panel to consider competing bills, middle-ground offering today.

By [Ralph K.M. Haurwitz](#)
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State Sen. Jeff Wentworth is in vote-counting mode these days on his proposal to abolish a law that entitles high school graduates in Texas who rank in the top 10 percent of their class to attend the public college or university of their choice.

Thirteen senators signed onto his bill before he even filed it. Two others have told him they support it. Counting Wentworth, a Republican from San Antonio, that adds up to 16 of 31 votes in the Senate.

There's just one problem, Wentworth concedes: Senate rules require 21 votes, assuming all members are in attendance, to bring a bill to the floor for debate. And he faces a formidable adversary, Sen. Royce West, D-Dallas, who successfully filibustered a similar effort by Wentworth two years ago.

West has lined up a dozen or so senators in support of his own measure, which would preserve the top 10 percent law but stiffen high school curriculum requirements for students accepted under its provisions.

The political landscape could become clearer today when a Senate subcommittee chaired by West considers the competing measures as well as a middle-ground offering by Sen. Gonzalo Barrientos, D-Austin. Barrientos' bill would limit admissions under the top 10 percent law to 65 percent of a university's freshman class.

The hearing comes as new figures from the University of Texas — the campus at the center of the debate — show that 72 percent of the Texas high school graduates who have been offered admission to this fall's freshman class qualified because of their top 10 percent ranking. That's up from 67 percent last fall.

"A really high percentage of Texas residents are getting into UT-Austin based on one single criterion," said Bruce Walker, vice provost and director of admissions. "That does not permit the university to recognize talented students who are not in the top 10 percent but have other talents important to a vibrant university campus," such as musical skills and leadership ability.

UT President Larry Faulkner, who is expected to testify before the Senate higher education subcommittee, has made no secret of his opinion, and he repeated it Tuesday: "I believe the

wisest decision would be to keep the principle (of automatic admission for high-ranking students) in place and limit the impact to 50 percent or so of a class."

Faulkner said he would spell out some options for committee members. One approach would be to grant automatic admission to the top 1 percent, the top 2 percent and so on until half the class is filled. That would have the effect of turning the top 10 percent law into a top 6 percent law, at least based on current application trends, he said.

Defenders of the top 10 percent law say it has diversified UT and Texas A&M University by increasing access for black and Hispanic students while broadening opportunities for white students from rural areas.

"I believe it's the most fair and efficient way to ensure that students from all walks of life and from all parts of our state have access to Texas' colleges and universities," West said.

The Legislature passed the law in 1997 in response to a court ruling that resulted in a ban on affirmative action in admission to state colleges and universities. The U.S. Supreme Court ruled in 2003 in a separate case that race and ethnicity could be considered.

Gov. Rick Perry, Lt. Gov. David Dewhurst and House Speaker Tom Craddick all have said that the state law needs to be modified. Some of the loudest complaints have come from parents and students at competitive high schools, such as Westlake, where it's difficult to gain a top 10 percent ranking.

Dewhurst, who presides over the Senate, summoned West and Wentworth to his office last week to discuss their competing bills. The discussion was courteous and civil, Wentworth said.

It could get a lot livelier. Wentworth said he might try to tack his bill onto some other higher education measure as an amendment to get around the 21-vote hurdle. Of course, West could try to do the same with his bill.

"The debate . . . is nearing boiling temperature," West said.

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