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Faulkner argues for altering top 10% law

Chairman of UT regents also backs some sort of modification

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Larry Faulkner, president of the University of Texas, offered some advice Wednesday to lawmakers concerning the state's automatic admissions law.

His message could be summed up this way: Mending it would be better than ending it. But repeal would be better than no change at all.

Faulkner's suggestions to a Senate higher education subcommittee drew detailed questioning from the panel's chairman, Sen. Royce West, D-Dallas. West is a supporter of the 1997 law, which entitles a student graduating in the top 10 percent of his or her high school class in Texas to attend any public college or university in the state.

Political momentum for modifying the law has been growing since the primary reason for its enactment -- a prohibition on affirmative action -- was nullified by a U.S. Supreme Court decision two years ago. The governor, lieutenant governor and state House speaker all have expressed support for some sort of change in the law.

James Huffines, chairman of the UT System Board of Regents, added his voice Wednesday to the chorus. Although his board has not taken a position on the question, Huffines said one possibility would be for legislators to instruct boards of regents to adopt guaranteed-admissions programs based on class rank. Such programs presumably could be customized by the campus or university system.

Raymund Paredes, the state's commissioner of higher education, also said there were compelling reasons to alter the law, adding that his agency's board has not voted on the issue, either. Paredes added a cautionary note: Imposing a cap on the number of students admitted to UT under the top 10 percent law could erode racial and ethnic diversity on that campus for a few years.

Paredes said there is no doubt that the law has increased the racial, ethnic, geographic and socioeconomic diversity of the student body at UT. Faulkner agreed that the law has given some students who might not otherwise have pursued college the incentive to do so, but he differed with Paredes on the effect of trimming top 10 percent admissions. By considering race and ethnicity in admissions, it still would be possible to form freshman classes that are more diverse virtually every year, he said.

The biggest problem with the status quo, Faulkner said, is that students who qualify under the law are making up an ever-larger share of the students admitted to UT. Seventy-two percent of the

students admitted from Texas high schools for the coming summer and fall sessions were accepted solely on the basis of their top 10 percent ranking.

"Even 72 percent is too large a fraction to be admitted on a single aspect of a student's record," Faulkner said. "Students are not one-dimensional. A university needs room in its admissions decisions to consider criteria other than high school rank."

Automatic admission is not such a pressing concern at any other school in Texas. However, officials said it inevitably would become troublesome at Texas A&M University, where top 10 percent graduates made up 46 percent of the Texas students admitted for fall 2004.

Faulkner offered his most detailed outline to date of how the law might be changed. One possibility is to guarantee admission to the top 5 percent, he said. Another is to require each campus to devise its own guaranteed-admission program based on class rank. Still another approach is to accept the top 1 percent, the top 2 percent and so on until half the class is filled.

West's committee is considering several bills dealing with the top 10 percent law, including one filed by Sen. Jeff Wentworth, R-San Antonio, that would repeal it.

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